

Government of India

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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 6th March, 1954 :—

Issue No.	No. and date	Issued by	Subject
35	S. R. O. 761, dated the 27th February 1954.	Ministry of Finance (Revenue Division).	Exemption of raw cotton imported into India and falling under Item No. 46(3) of the First Schedule to the Indian Tariff Act, 1934 from the whole of the import duty with effect from 28th February 1954.
	S. R. O. 762, dated the 27th February 1954.	Ditto	Exemption of certain specified articles from the whole of the duty leviable thereon under the Indian Tariff Act, 1934 with effect from 28th February 1954.
	S. R. O. 763, dated the 27th February 1954.	Ditto	Amendments made to certain specified notifications.
36	S. R. O. 764, dated the 1st March 1954	Ditto	Exemption of coir products exported from India from the duty of customs leviable thereon under sub-section (1) of section 13 of coir Industry Act.
	S. R. O. 765, dated the 1st March 1954.	Ministry of Commerce and Industry	Levy of a cess on coir fibre, coir yarn and Coir products under the Coir Industry Act, 1953 from 1st March 1954.
37	S. R. O. 766, dated the 1st March 1954.	Ministry of Finance (Revenue Division).	Exemption of certain specified goods produced or manufactured into Pakistan and imported into India from part of the customs duty leviable thereon under the First Schedule of Indian Tariff Act, 1934.

Issue No.	No. and date	Issued by	Subject
	S. R. O. 767, dated the 1st March, 1954.	Ministry of Finance (Revenue Division)	Amendment made in the Notification No. 42, dated the 9th October 1948.
38	S. R. O. 768, dated the 1st March 1954.	Ministry of Commerce and Industry.	Amendment made in the notification No. S. R. O. 1644, dated the 2nd September, 1953.
39	S. R. O. 769, dated the 25th February 1954.	Election Commission, India.	Petition No. 8/187 of 1952.
40	S. R. O. 805, dated the 5th March 1954.	Ditto . . .	Calling upon Kanpur District (Central) Constituency to elect a person to fill the vacancy caused by the death of Shri Hari Har Nath Shastri in the House of the People.
	S. R. O. 806, dated the 5th March 1954.	Ditto . . .	Appointment of certain dates for bye-election from Kanpur District (Central) Parliamentary Constituency.
41	S. R. O. 807, dated the 5th March 1954.	Ditto . . .	Calling upon Fazilka-Sirsa constituency to elect a person to fill the vacancy caused by the death of Shri Atreja Singh Namdhari in the House of the People.
	S. R. O. 808, dated the 5th March 1954.	Ditto . . .	Appointment of certain dates for bye-election from Fazilka-Sirsa Parliamentary Constituency.
42	S. R. O. 809, dated the 5th March 1954.	Ditto . . .	Election Petition No. 7 of 1953.
43	S. R. O. 810, dated the 5th March 1954.	Ministry of Communications.	Appointment of Shri Shankar Prasad, I.C.S., to be a member and chairman of the Indian Airlines Corporation.
	S. R. O. 811, dated the 5th March 1954.	Ditto . . .	Directing Shri Shankar Prasad, I.C.S., to be a member of the Air-India International Corporation.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

### PART II—Section 3

**Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).**

#### MINISTRY OF LAW

*New Delhi, the 4th March 1954*

**S.R.O. 818.**—In exercise of the powers conferred by section 3 of the Maintenance Orders Enforcement Act, 1921 (XVIII of 1921) and in supersession of the

notification of the Government of India in the Home Department No. 24/9/37 dated the 18th August, 1938, the Central Government hereby declares that the said Act applies in respect of the Colony and Protectorate of Kenya.

[No. F.26(1)/54-L.]

B. N. LOKUR, Dy. Secy.

### MINISTRY OF STATES

*New Delhi, the 5th March 1954*

**S.R.O. 819.**—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of States No. 104-J, dated the 24th August 1950, namely:—

In Schedule I to the said notification, in the entry in column 2 against the Land Acquisition Act, 1894 (I of 1894), for the words and figures 'Sections 3, 4, 6, 7, 17, 38, 39, 40, 41, 49 and 55' the words and figures 'Sections 3, 4, 5A, 6, 7, 17, 31, 35, 36, 38, 39, 40, 41, 48, 49 and 55' shall be substituted.

[No. 20-E.]

M. M. THOMAS, Under Secy.

### MINISTRY OF HOME AFFAIRS

*New Delhi, the 9th March 1954*

**S.R.O. 820.**—In pursuance of article 125 of, and sub-paragraph (4) of paragraph 9 of Part D of the Second Schedule to, the Constitution, the President hereby directs that the following amendment shall be made in the Supreme Court Judges (Travelling Allowance) Rules, 1951, namely:—

In sub-rule (1) of rule 8 of the said Rules, for the words, brackets and figures "sub-rule (2) of rule 7", the words, brackets and figures "clause (ii) of rule 4" shall be substituted.

2. The above amendment shall not apply to a Judge who was holding office as such Judge immediately before the date of this amendment.

[No. 12/11/52-Judicial.]

M. GOPAL MENON, Dy. Secy.

*New Delhi, the 9th March 1954*

**S.R.O. 821.**—In exercise of the powers conferred by article 239 and the proviso to article 309 of the Constitution, section 38 of the Government of Part C States Act, 1951 (XLIX of 1951), and all other powers enabling him in that behalf, and in supersession of the existing rules on the subject, the President is pleased to make the following Rules, namely:—

These Rules may be called the Business of the Government of Ajmer (Allocation) Rules.

2. **Definitions.**—In these Rules, unless the context otherwise requires—

- (a) "Chief Commissioner" means the Chief Commissioner of Ajmer;
- (b) "Council" means the Council of Ministers appointed under section 37 of the Act;
- (c) "Secretary" means the Secretary to the Chief Commissioner and includes the Chief Secretary; and
- (d) "the Act" means the Government of Part C States Act, 1951 (XLIX of 1951).

3. The entire business of the Government shall be transacted in the Departments specified in the Schedule and shall be classified and distributed between those Departments as laid down therein.

4. The Chief Commissioner shall, in consultation with the Chief Minister, allocate to the Ministers so much of the business of the Government as relates to matters with respect to which the Council is required to aid and advise the Chief Commissioner in the exercise of his functions under section 36 of the Act and for that purpose assign one or more Departments to the charge of a Minister:

Provided that nothing in this rule shall prevent the assignment of one Department to the charge of more than one Minister.

5. Each Department shall consist of a Secretary who shall be the official head of that Department, and of such other officers and servants subordinate to him as the Chief Commissioner may from time to time determine:

Provided that—

- (a) more than one Department may be placed in charge of the same Secretary; and
- (b) the work of the same Department may be divided between two or more Secretaries.

#### SCHEDULE

(See rule 3)

##### (1) CONFIDENTIAL DEPARTMENT

- (1) Confidential and Secret Codes.
- (2) Central and Subsidiary Bureau of Intelligence and Investigation.
- (3) (i) Auxiliary and Indian Territorial Forces.  
(ii) Recruitment and Transport of troops.  
(iii) Other Miscellaneous military matters.
- (4) Appointment of Judicial Commissioner.
- (5) Appointment of Chief Commissioner.
- (6) Arrangements for meeting of the Council of Ministers.
- (7) Public Order. (See also entry No. 1. under Home Deptt.).

Preventive detention for reasons connected with the security of a State, the maintenance of public order or the maintenance of supplies and services essential to the community; persons subjected to such detention, including:—

- (i) All offences against the State including the Seditious Meetings, Act and the Criminal Law Amendment Act of 1908.
- (ii) Political Intelligence.
- (iii) Political and communal agitation and subversive movements and preventive measures to deal with them.
- (iv) Unusual occurrences, inter-communal relations, riots and disturbances, etc.
- (v) Press (Objectionable Matters) Act.
- (8) Censorship (Postal).  
(Telegraph).  
(Press).  
(Telephone).  
(Broadcasting).
- (9) Cases from the Anti-Corruption Branch of the Police and all cases of corruption and bribery.
- (10) Custody of confidential reports of Gazetted Officers and Assistants of the Civil Secretariat.
- (11) Fortnightly Reports of Ajmer and other States.
- (12) Implementation of the Indo-Pakistan Agreement.
- (13) Cases of relief for political sufferers.
- (14) Any other matter which the Chief Secretary may order to be dealt with in the Confidential Deptt.

## (2) HOME AND SERVICES DEPARTMENT

(a) *Home Branch:*

(1) Public Order (but not including the use of naval, military or air force or any other armed forces of the Union in aid of the civil power). [See also entry No. (7) under Confidential Department].

(2) Police including Railway and Village Police.

(3) Betting and Gambling.

(4) Control of poisons and dangerous drugs.

(5) Haj Pilgrimage and other pilgrimages outside India.

(6) Control of officers serving in the Police Department.

(7) The Indian Lunacy Act.

(8) Explosives.

(9) Home Guards and Village Defence Parties.

(10) Passports and Visas.

(11) Extradition and Registration of Foreigners.

(12) Influx from Pakistan Control Act.

(13) Arms, fire-arms and ammunition

(14) State Police Wireless.

(15) Petroleum products declared to be dangerously inflammable and Carbide of Calcium Rules.

(16) Inns and Innkeepers.

(17) Prisons and persons detained therein.

(18) Prisoners Aid Societies.

(19) Control of all officers serving in the Jails Department.

(20) Administrative charges of all buildings occupied by the Jails Department.

(21) Reformatories and Borstal institutions and criminal lunatics.

(22) Removal of prisoners from one State to another.

(23) Census.

(24) Ecclesiastical including the European Cemeteries.

(25) Holidays.

(26) Circuit Houses and Dak Bungalows.

(27) Post-war Service Reconstruction Funds.

(28) State and District Soldiers', Sailors' and Airmen's Board.

(29) Disposal of waste papers.

(30) Ceremonials including Independence Day Celebration, Mourning, etc., Reception of illustrious personages.

(31) General Administration Report.

(32) Charitable Funds.

(33) Warrant of Precedence and Table of Precedence.

(34) Theatres, Dramatic performances, Cinematograph Act and Rules made thereunder.

(35) Arrangements for disposal of criminal court work in Magistrates' Courts and monthly return of the cases.

(36) Tour diaries of Deputy Commissioner.

(37) Burial of paupers.

(38) Burma evacuees.

(39) Civil Defence.

(40) Post Offices, Telegraphs and Telephones including sanction for new Government connections.

(b) *Services Branch:*

(1) Questions relating to Indian Civil Service, Indian Administrative Service and other State Civil Service Officers on deputation to the State of Ajmer.

- (2) Ajmer State Civil Service officers including judicial officers.

NOTE.—The immediate control of officers of the services specified in entries (1) and (2), who are employed in branches of the administration controlled by other departments of the Secretariat rests with the department concerned. But the Home and Services Department should invariably be consulted on any proposed order inflicting punishment or censure. Action which may terminate in the dismissal, removal or reduction of any member of these services will be taken in the Home and Services Department.

- (3) Interpretation of all rules affecting the public service other than those rules which regulate pay, leave, allowances, pensions and other financial matters.

- (4) Departmental Examinations.

- (5) Government Servants' Conduct Rules.

- (6) Reference to the Union Public Service Commission.

- (7) Secretariat Instructions.

- (8) The Rules of Business.

- (9) Measures to secure adequate representation of Backward Classes in the Services.

- (10) Government Servants' Associations.

- (11) Appointment, leave, transfer, etc. of Secretariat Establishment.

- (12) Pay Bills, T. A. Bills of Secretariat Officers and of Hon'ble Ministers.

- (13) Grade IV employees of the Secretariat.

- (14) Accommodation for Secretariat and other connected offices.

- (15) Livery, coal supply, furniture, etc.

- (16) Expenditure on State Guests from Secretariat contingencies.

- (17) Accommodation for members of Legislature, Hon. Ministers.

- (18) Issue of Stationery, type-writers, etc. and supply of books and periodicals.

### (3) AGRICULTURE, PUBLIC WORKS AND LABOUR DEPARTMENT.

#### (a) Agriculture Branch:

- (1) Grow More Food Schemes.

- (2) Post-war Agricultural Schemes.

- (3) Schemes financed by the Indian Council of Agricultural Research.

- (4) Livestock Development.

- (5) Livestock Census.

- (6) Administration of the Veterinary Hospitals and Veterinary Development Schemes.

- (7) Agricultural statistics.

- (8) State Forests.

- (9) Control of Private Forests.

- (10) Schemes of Re-forestation.

- (11) Protection of Birds and Animals.

#### (b) Public Works Branch:

- (1) Works, lands and buildings, vested in, or in possession of Government.

- (2) Roads, bridges and ferries not specified in the Union List.

- (3) Water Supply, irrigation, embankments, water storage and water power, subject to provision of the Union List.

- (4) Preparation and execution of sanitary projects, water supply schemes for Municipalities and other local bodies.

- (5) Indian Motor Vehicles Act and Rules, Motor vehicles taxation and rules, correspondence with Railway Administration regarding changes in time-tables, opening of new lines, etc. Railway Priorities and preferential tariffs, promotion of tourist traffic in the State, purchase of motor vehicles for all Government departments and maintenance and allotment of staff cars.

- (6) Indian Electricity Act and Rules, Electricity Supply Act, 1948, Control and Distribution of electricity.

**(c) Labour Branch:**

(1) Welfare of labour; Workmen's Compensation; Unemployment and unemployment insurance; Health insurance and Old Age Pensions and Payment of Wages.

(2) Strikes and Industrial and labour disputes.

(3) Trade Unions.

(4) Factories and Boilers.

(5) Planning and Development.

(6) Employment Exchanges.

(7) Major and cottage industries.

(8) Shops and commercial establishments.

(9) Vocational and Technical Training.

**(4) FINANCE AND REVENUE DEPARTMENT****(a) Finance Branch:**

(1) Preparation of the annual financial statement.

(2) Appropriation accounts.

(3) Public debt of the province.

(4) Borrowing of money and granting of loans by Provincial Government.

(5) Taxes on income

(6) Currency, coinage, legal tender.

(7) Audit and Accounts excluding audit notes of Comptroller and Examiner, Local Accounts.

(8) Treasuries.

(9) Preparation and Interpretation of Financial Rules regulating the condition of service, pay, allowances of Government servants of all Departments.

(10) All cases of establishment including gazetted, clerical and inferior establishments.

(11) Statistical Bureau.

(12) Stamps.

(13) Write off of losses.

(14) All matters connected with the Transport Department of Government excepting the establishment relating to that Department.

(15) Audit Notes of the Comptroller and Examiner, Local Funds Accounts.

(16) Defalcation cases.

(17) Contracts and agreements having financial implications.

(18) Salaries of Hon'ble Ministers and officers of the Legislature.

(19) Residences and vehicles of Hon'ble Ministers and officers of the Legislature.

(20) Travelling Allowance Rules.

(21) Pensions including commutation of pensions and compassionate gratuities.

(22) The General Provident Fund, The Indian Civil Service and Indian Administrative Service Provident Funds and Contributory Provident Funds.

(23) Advance for the purchase of conveyances, house buildings, etc.

(24) Sales Tax, Amusement and Betting Tax, Trades, Professions, etc., Tax and Motor Spirit and Lubricants Taxation Act and examination of proposals for the increase or reduction of taxation.

(25) Joint Stock Companies.

(26) Trading Corporations, Insurance, Banking, and Financial Corporations.

(27) Customs.

(28) Import and Export trade control.

(29) Chambers of Commerce.

(30) Copyright, patents, designs and trade marks.

(b) *Revenue Branch:*

- (1) Survey and Settlements.
- (2) Consolidation of holding.
- (3) Land Records Staff.
- (4) Crop cutting experiments.
- (5) Rights in land and over land—land Revenue.
- (6) Transfer, alienation and development of agricultural land.
- (7) Land Improvements and agricultural loans.
- (8) Famine Relief and Agricultural Calamities.
- (9) Agricultural Indebtedness.
- (10) Mines and Minerals.
- (11) Treasure trove.
- (12) Land acquisition and requisition of land.
- (13) Registration of deeds and documents.
- (14) Court of Wards.
- (15) Istimrari estates and Jagirs.
- (16) Cooperative Societies and Rural Development.
- (17) Intoxicating liquors, Opium Act and Rules.
- (18) Control of rents of urban areas.

## (5) LAW AND JUDICIAL DEPARTMENT

(a) *Law Branch:*

- (1) Preparation, revision and publication of electoral rolls.
- (2) Elections.
- (3) Advice to departments on the drafting of statutory rules, notifications, orders, etc.
- (4) All matters connected with the State Legislature.
- (5) Drafting of official bills in accordance with the instructions of the Administrative departments.
- (6) Rules of Procedure of the Legislature of the State.
- (7) Preparation of programmes for the sessions of the State Legislature.
- (8) Printing of official bills before introduction in the State Legislature and distribution of printed copies.
- (9) Preparation of reports of Select Committees on Bills, and amendment of the Bills in accordance with the recommendations of the Committees.
- (10) Advising, in the case of Bills, whether the previous sanction or recommendation of the Chief Commissioner is necessary.
- (11) Transmission to the Ministry of Law (Central Government) of copies of all Bills introduced in the State Legislature or published, of reports of Select Committees of all Bills and of all Bills passed by the State Legislature and assented to by the President with extracts from proceedings of the Legislature where necessary.
- (12) Publication of the President's assent to Bills passed by the State Legislature.
- (13) Initiation and drafting of Bills for the codification and consolidation of the existing law and of formal legislations.
- (14) Revision of Act, Codes and Collections of Statutory Rules and Orders.
- (15) Publication in the *Gazette* of the results of elections to the Ajmer Legislative Assembly and preparation of and maintenance of a register of returns of election expenses for elections to the Assembly.
- (16) Arrangements for by-elections in case of all the constituencies of the Ajmer Legislative Assembly.

(b) *Judicial Branch:*

- (1) Criminal Law including all matters included in the Indian Penal Code at the commencement of the Constitution but excluding offences against laws with respect to any of the matters specified in List I and List II and excluding the use of naval, military and air forces and any other armed forces of the Union in aid of the civil power.



(2) Criminal Procedure including all matters included in the Code of Criminal Procedure at the commencement of the Constitution.

(3) Civil Procedure including all matters included in the Code of Civil Procedure at the date of commencement of the Constitution, the recovery in a State of clauses in respect of taxes and other public demands, including arrears of land revenue and sums recoverable as such, arising outside that State.

(4) Administration of Justice: Constitution and organisation of all Courts.

(5) Evidence and Oaths; recognition of laws; public acts and records and judicial proceedings.

(6) Marriage and divorce; infants and minor adoption (except Registration of Marriages).

(7) Wills, intestacy and succession, save as regards agricultural land; joint family and partition; all matters in respect of which parties in judicial proceedings were immediately before the commencement of the Constitution subject to their personal law.

(8) Trusts and Trustees.

(9) Contracts including partnership, agency, contracts of carriage and other special forms of contract; but not including contracts relating to agricultural land.

(10) Arbitration.

(11) Bankruptcy and insolvency, Administrators General and Official Trustees.

(12) Actionable wrongs.

(13) Jurisdiction and powers of all courts, except the Supreme Court.

(14) Examination of clauses of all Bills relating to imposition by legislation of punishments by fine, penalty or imprisonment, for enforcing any law of the State.

(15) Criminal lunatics.

(16) Pauper costs.

(17) Legal profession.

(18) Sanction to the prosecution of public servants under section 197 of the Criminal Procedure Code.

(19) Sanction to the defence of public servants at the expense of Government in civil and criminal cases.

(20) Appointment of Notaries public under section 138 of the Negotiable Instruments Act.

#### (6) MEDICAL, EDUCATION AND LOCAL SELF GOVERNMENT DEPARTMENT

(1) Hospitals and dispensaries; public health; sanitation; registration of births, deaths and marriages, medical nursing and dental profession, epidemics.

(2) Adulteration of food-stuffs and other goods.

(3) Vaccination.

(4) Water Supply.

(5) Local Bodies—such as Municipalities, District Board, Improvement Trusts, Town Areas, etc.

(6) Cattle Pounds.

(7) Libraries and Museums and other similar institutions controlled or financed by the State.

(8) Education.

(9) Ancient and Historical monuments.

#### (7) FOOD AND CIVIL SUPPLIES DEPARTMENT

(1) Control of Foods, Civil Supplies and Textiles.

(2) Foodgrains and foodrationing.

#### (8) REHABILITATION DEPARTMENT

(1) Rehabilitation of displaced persons.

(2) Control of evacuee property.

**S.R.O. 822.**—In exercise of the powers conferred by article 239 and the proviso to article 309 of the Constitution, section 38 of the Government of Part C States Act, 1951 (XLIX of 1951), and all other powers enabling him in that behalf, and in supersession of the existing rules on the subject, the President is pleased to make the following Rules, namely:—

These Rules may be called the **Business of the Government of Delhi (Allocation) Rules**.

**2. Definitions.**—In these Rules, unless the context otherwise requires,—

- (a) "Chief Commissioner" means the Chief Commissioner of Delhi;
- (b) "Council" means the Council of Ministers appointed under section 37 of the Act;
- (c) "Secretary" means the Secretary to the Chief Commissioner and includes the Chief Secretary; and
- (d) "the Act" means the Government of Part C States Act, 1951 (XLIX of 1951).

3. The entire business of the Government shall be transacted in the Departments specified in the Schedule and shall be classified and distributed between those Departments as laid down therein.

4. The Chief Commissioner shall, in consultation with the Chief Minister, allocate to the Ministers so much of the business of the Government as relates to matters with respect to which the Council is required to aid and advise the Chief Commissioner in the exercise of his functions under section 36 of the Act and for that purpose assign one or more Departments to the charge of a Minister:

Provided that nothing in this rule shall prevent the assignment of one Department to the charge of more than one Minister.

5. Each Department shall consist of a Secretary who shall be the official head of that Department, and of such other officers and servants subordinate to him as the Chief Commissioner may from time to time determine:

Provided that—

- (a) more than one Department may be placed in charge of the same Secretary; and
- (b) the work of the same Department may be divided between two or more Secretaries.

**Delhi.**

#### SCHEDULE

#### *Allocation of business among Departments*

(See rule 3)

#### I. CONFIDENTIAL AND CABINET DEPARTMENT

- (1) All confidential matters. (Political).
- (2) Meetings of Cabinet.
- (3) Co-ordination of work between various Departments.

#### II. APPOINTMENTS (A) DEPARTMENT

- (1) Salaries and allowances of Ministers.
- (2) Matters relating to all India Services and Class I Services and posts.
- (3) Secretariat Officers and Secretariat Establishment.
- (4) Civil list and History of Services.
- (5) Union Public Service Commission.
- (6) Business of Government.
- (7) Secretariat Building and Rules.
- (8) Holidays.
- (9) Recognition of Service and Associations.
- (10) Secretariat Accounts and Cash.
- (11) Liveries.
- (12) Telephones in Secretariat.
- (13) Allotment of Government accommodation of buildings directly under the Chief Commissioner.

- (14) Tours and Inspections.
- (15) Administration Reports.
- (16) Memorials and Petitions other than petitions for mercy.

#### APPOINTMENTS (B) DEPARTMENT

- (1) General Secretariat and historical records.
- (2) Secretariat Library.
- (3) Central Despatch and Central Registry.
- (4) Stationery.
- (5) Official Gazettes.

#### III. PRESS AND PUBLICITY DEPARTMENT

- (1) Press.
- (2) Newspapers and periodicals.
- (3) Publications.
- (4) Publicity.

#### IV. RATIONING AND CIVIL SUPPLIES

- (1) Civil Supplies.
- (2) Rationing.

#### V. GENERAL ADMINISTRATION, JAILS & REVENUE DEPARTMENT.

##### (A) *Excise.*

- (i) Intoxicating Liquors, narcotic drugs, Opium and dangerous drugs.
- (ii) Excise duties on—
  - (a) Alcoholic Liquors for human consumption.
  - (b) Opium, Indian hemp and other narcotic drugs and narcotics.

##### (B) *Taxation.*

- (i) Tax on land other than land revenue.
- (ii) Capitation Taxes.
- (iii) Taxes on sale or purchase of goods.
- (iv) Taxes on luxuries including taxes on entertainment amusements, betting and gambling.

##### (C) *Jails.*

- (i) Jails and Convicts.
- (ii) Prison Reforms.
- (iii) Borstal Institution.

##### (D) *Revenue.*

- (i) Land and land tenures.
- (ii) Agricultural Loan.
- (iii) Village officers and servants.
- (iv) Land Revenue and General Administration.
- (v) Tehsildars and Naib-Tehsildars and District Officers' establishment.
- (vi) Collection of local cesses and other sums recoverable as land revenue.
- (vii) Procedure in Revenue Courts.
- (viii) Jurisdiction and powers of Revenue Officers.
- (ix) Land Records.
- (x) Settlements.
- (xi) Consolidation of holdings.
- (xii) Courts of Wards.
- (xiii) Stamps } Subject to the restriction imposed by section 21(1) of the
- (xiv) Court Fees } Government of Part C States Act, 1951.
- (xv) Registration.
- (xvi) Acquisition and Requisition of lands.
- (E) *Fire Service.*

## VI. EDUCATION DEPARTMENT

- (1) Education.
- (2) National Cadet Corps.
- (3) Harijan Uplift.
- (4) Field Publicity.
- (5) Children's Home and Reformatory.

## VII. INDUSTRIES AND LABOUR DEPARTMENT

- (1) Resettlement and re-employment.
- (2) Poor house.
- (3) Industries.
- (4) Labour.
- (5) Boilers and factories.
- (6) Food Products.
- (7) Weights and measures.
- (8) Trade employees.
- (9) Commerce.
- (10) Disposals.

## VIII. DEVELOPMENT AND PLANNING DEPARTMENT

- (1) Agriculture.
- (2) Scarcity and famine relief.
- (3) Flood and flood control.
- (4) Agricultural Indebtedness.
- (5) Veterinary.
- (6) Co-operation.
- (7) Money-lending and money-lenders.
- (8) Fisheries.
- (9) Dairy development.
- (10) Poultry.
- (11) Forest and forest produce.
- (12) Planning.
- (13) Village panchayats.

## IX. RELIEF AND REHABILITATION

- (1) Relief and Rehabilitation of refugees.
- (2) Verification of claims of Muslim migrants.

## X. MEDICAL, TRANSPORT AND CHARITABLE ENDOWMENTS DEPARTMENT

- (1) Medical.
- (2) Public Health.
- (3) Anti-malaria.
- (4) Mental Patients.
- (5) Motor Vehicles and State Transport.
- (6) Central Workshop.
- (7) Employees State Insurance.
- (8) Charitable Endowments, namely, Muslim Wakfs, Sikh Gurdwaras and Temples.

## XI. LOCAL SELF GOVERNMENT DEPARTMENT

- (1) Municipalities.
- (2) Notified Area Committees.
- (3) Delhi Improvement Trust.
- (4) District Boards and School Boards.
- (5) The Bombay Electricity Act.
- (6) Public Works Department.

## XII. LAW AND JUDICIAL DEPARTMENT

- (1) Administration of Justice.
- (2) Establishment of Civil Courts.
- (3) Appeals against acquittals.
- (4) Additional Courts.
- (5) Legal Practitioners.
- (6) Official Receivers.
- (7) Civil Law and Procedure.
- (8) Intestate Property.
- (9) Legacies etc.
- (10) Notary Public.
- (11) Law Officers.
- (12) Advice on legal matters.
- (13) Supervision of Government litigation.
- (14) Drafting of bills and statutory rules and orders.
- (15) Elections.
- (16) Reforms.

## XIII. FINANCE DEPARTMENT

- (1) Conditions of Service and rules relating to services.
- (2) Pay, leave and allowances.
- (3) Scrutiny of Financial sanctions.
- (4) Cases relating to Fundamental Rules.
- (5) Commutation of Pensions.
- (6) Compassionate Funds.
- (7) Conveyance and other advances.
- (8) Local funds including charitable endowments.
- (9) Offices Inspectorate.
- (10) Pensions and Gratualties.
- (11) Provident Fund.
- (12) Central Fund.
- (13) State Budget.
- (14) Financial scrutiny of new items of expenditure.
- (15) Interest and Debts.
- (16) Budget Control of expenditure.
- (17) Finance Committee.
- (18) Public Accounts Committee.
- (19) Report of Auditor General.
- (20) Treasury and Treasury Establishment.
- (21) National Saving Scheme.

[No. 23/17/53-Public-IV.A.]

A. V. PAI, Secy.

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New Delhi, the 9th March 1954

**S.R.O. 823.**—In exercise of the powers conferred by sections 4, 10, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby directs that the following further amendments shall be made in the Indian Arms Rules, 1951, namely:—

In the said Rules—

1. In rule 7, at the beginning, for the words "A licence shall not be granted for the import—" the words "Save as otherwise provided by rule 32-A, a licence shall not be granted for the import—" shall be substituted.

2. After rule 32 the following rule shall be inserted, namely:—

**“32-A. Temporary Licence for Import into, possession in, Transport across and Export out of India of personal Arms and Ammunition by bona fide travellers passing through India en route to other Countries.**—(1) Save as otherwise provided by rule 28, a licence in Form XVII-A may be granted to a bona fide traveller proceeding from a place of arrival in India to his place of departure from India, for the import, possession for the duration of his journey from the place of his arrival to the place of his departure from India, transport and export of his personal arms and ammunition in reasonable quantities—

(a) if the place of arrival is a Presidency town—by the Commissioner of Police;

(b) if the place of arrival is in a Part B State—by the appropriate licensing authority mentioned in rule 31, sub-rule (1), clause (aa); and

(c) in other cases by the District Magistrate or by any other officer, specially empowered by the Central Government in that behalf.

(2) A copy of every licence granted under sub-rule (1) shall forthwith be sent to such officer of the Government of the State in which the place of his departure from India is situated as may be specially empowered by the State Government in a Part A State or Part B State or the Lieutenant-Governor or Chief Commissioner in a Part C State in that behalf”.

3. In Schedule VIII. after Form XVII the following Form shall be inserted, namely:—

“FORM XVII-A

(See rule 32-A)

**FEE FOR EACH WEAPON—ONE RUPEE**

*Temporary licence for import, possession for the duration of their journey from the place of their arrival to the place of their departure from India, transport and export of personal arms and ammunition in reasonable quantities by bona fide travellers passing through India en route to other countries.*

Name and description of licensee	Arms or ammunition that licensee is entitled to import/possess/transport/export	Place of departure from India	Period for which the licence is valid
(1)	Brief description of each weapon (2)	Quantity and description of each kind of ammunition (3)	(4)
<div style="display: flex; justify-content: space-between;"> <div> <p>Date on which copy is sent to the—</p> <p>The                      of                      19                     </p> </div> <div> <p>Seal</p> </div> <div> <p>Commissioner of Police— District Magistrate of District, The Government of the State of</p> </div> </div>			
<div style="display: flex; justify-content: space-between;"> <div> <p>The                      of                      19                     </p> </div> <div> <p>(Signature)</p> </div> <div> <p>Commissioner of Police District Magistrate, District, The Government of the State of</p> </div> </div>			

**Conditions**

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1951.

2. It covers only the persons named, and the arms and ammunition, described therein.

3. The licensee shall not, unless specially empowered in this behalf by the authority granting the licence, go armed to a fair, religious procession or other public assemblage.

4. The licensee shall not go armed with Government arms or ammunition.

*Explanation.*—For the purpose of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory or prepared for and supplied to the Government.

5. Condition 4 may be cancelled by the authority granting the licence if empowered to do so by the Central Government and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

6. The licensee shall, on arrival at his place of departure from India, forthwith deliver this licence in original to the nearest licensing authority.

7. The licensee shall not, while in India, sell any arms or ammunition covered by this licence.

**NOTE.**—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878.)

[No. 9/26/53-Police(I).]

N. SAHGAL, Dy. Secy.

*New Delhi, the 9th March 1954*

**S.R.O. 824.**—In exercise of the powers conferred by sub-section (2) of section 63 of the Andhra State Act, 1953 (30 of 1953), the President hereby directs that the following further amendments shall be made in the Order published with the Government of India in the Ministry of Home Affairs, No. S.R.O. 2054, dated the 2nd November, 1953, namely:—

In the Schedule to the said Order,—

(a) under the heading "Madras Electricity Department" and under sub-heading "Non-Gazetted—Technical"—

(i) for the entry in column 1 against serial No. 5, the following entry shall be substituted, namely:—

"Sri N. Balaramaraju";

(ii) for the entry in column 1 against serial No. 78, the following entry shall be substituted, namely:—

"Sri D. B. V. Narayanacharyulu";

(iii) for the entry in column 2 against serial No. 82, relating to Sri M. Satyanarayana, the following entry shall be substituted, namely:—

"Draftsman III Grade";

(iv) for the entry in column 1 against serial No. 112, the following entry shall be substituted, namely:—

"Sri T. V. R. Sarma";

(v) for the entries in columns 1, 2 and 3 against serial No. 121, the following entries shall be substituted, namely:—

"Sri T. L. Narasimhan      Chief Store Keeper      Do."

(vi) for the entry in column 2 against serial No. 129 relating to Sri R. Sethumadhava Rao, the following entry shall be substituted, namely:—

"Draftsman I Grade";

(vii) for the entry in column 1 against serial No. 173, the following entry shall be substituted, namely:—

"Sri K. V. Kumara Dutt";

(viii) for the entry in column 1 against serial No. 176, the following entry shall be substituted, namely:—

"Sri K. Srinivasan";

(ix) for the entry in column 1 against serial No. 187, the following entry shall be substituted, namely:—

"Sri M. Azizur Rahman"; and

(x) after the entries in serial No. 210, the following serial numbers and entries thereunder in columns 1, 2 and 3 shall be inserted, namely:—

211.	Sri J. Govindhayya	Junior Engineer	Allotted Officer
212.	Sri M. Ramakrishna	Do.	Do.
213.	Sri K. Ramakrishna Rao	Do.	Do.
214.	Sri V. Subramanyam	Supervisor, I Grade	Do.
215.	Sri K. Venkatramam	Do.	Do.
216.	Sri A. Ramanujam	Supervisor, II Grade	Do.
217.	Sri P. Somasundara Rao	Do.	Do.
218.	Sri A. Raja Ram	Do.	Do.
219.	Sri Md. Mahaboob Badsha	Tracer	Do.
220.	Sri P. Viswanathan	Do.	Do.
221.	Sri P. Srinivasalu	Do.	Transferred Officer.

(b) under the sub-heading “Non-Gazetted-Ministerial”—

(i) for the entry in column 1 against serial No. 1, the following entry shall be substituted, namely:—

“Sri M. Jagannatha Sastri”;

(ii) for the entry in column 1 against serial No. 24, the following entry shall be substituted, namely:—

“Sri S. S. R. Sastri”; and

(iii) for the entry in column 1 against serial No. 46, the following entry shall be substituted, namely:—

“Sri M. R. Ramakrishna Sastri”; and

(c) under the sub-heading “Attenders and Peons” after the entries in serial No. 23, the following serial number and entries thereunder in columns 1, 2 and 3 shall be inserted, namely:—

“24. Sri Mohideen Sheriff      Peon      Allotted Officer”.

[No. 26/4/53-I-A1S(I).]

**S.R.O. 825.**—In exercise of the powers conferred by sub-section (2) of section 63 of the Andhra State Act, 1953 (30 of 1953), the President hereby directs that the following further amendments shall be made in the Order published with the Government of India in the Ministry of Home Affairs No. S.R.O. 1914, dated the 7th October 1953, namely:—

In the Schedule to the said Order,—

(a) under the sub-heading “(Non-gazetted Officers)” below the heading “Madras Co-operative Department”—

(i) for the entry in column 1 against serial No. 34, the following entry shall be substituted, namely:—

“Sri A. Venkataramanayya”;

(ii) for the entry in column 1 against serial No. 35, the following entry shall be substituted, namely:—

“Sri N. V. L. Narasimham”; and

(iii) for the entry in column 1 against serial No. 36, the following entry shall be substituted, namely:—

“Sri T. Narayanaavelu”.

(b) under the sub-heading “Divisional Engineers (Highways)” below the heading “Madras Highways Department”,—

(i) for the entry in column 1 against serial No. 4 relating to Sri K. Naryana Rao (Assistant Engineer), the following entry shall be substituted, namely:—

“Sri K. Narayana Rao”;



- (ii) for the entry in column 1 against serial No. 12 relating to Sri M. Regavayya (Assistant Engineer), the following entry shall be substituted, namely:—  
 “Sri M. Reghavayya”;
- (iii) for the entry in column 1 against serial No. 13 relating to Sri T. Achtharamiah (Assistant Engineer), the following entry shall be substituted, namely:—  
 “Sri T. Achutharamiah”;
- (iv) for the entry in column 1 against serial No. 17 relating to Sri N. Dhararao Naidu (Assistant Engineer), the following entry shall be substituted, namely:—  
 “Sri N. Dharma Rao Naidu”;
- (v) for the entry in column 1 against serial No. 52, relating to Sri P. Auditamiah (Assistant Engineer), the following entry shall be substituted, namely:—  
 “Sri P. Audiramayya”;
- (c) under the sub-heading “Junior Engineers/Supervisors” below the heading “*Madras Highways Department*”,—
- (i) for the entry in column 2 against serial No. 22 relating to Sri N. Sriramulu, the following entry shall be substituted, namely:—  
 “Supervisor, Krishna”;
- (ii) for the entry in column 1, against serial No. 92, the following entry shall be substituted, namely:—  
 “Sri J. A. Ramasomayajulu”;
- (iii) for the entry in column 1, against serial No. 99, the following entry shall be substituted, namely:—  
 “Sri A. V. V. Satyanarayana”;
- (iv) for the entry in column 1, against serial No. 127, the following entry shall be substituted, namely:—  
 “Sri V. Kamaraju”;
- (v) for the entry in column 1, against serial No. 168, the following entry shall be substituted, namely:—  
 “Sri Gulam Dastagir”;
- (vi) for the entry in column 1, against serial No. 233, the following entry shall be substituted, namely:—  
 “Sri M. Venkataratnam”;
- (vii) for the entry in column 1, against serial No. 277, the following entry shall be substituted, namely:—  
 “Sri R. Jagannatha Rao”;
- (viii) serial Nos. 223—286 shall be renumbered as serial Nos. 213—276 respectively.
- (d) under the sub-heading “Non-Gazetted Ministerial” below the heading “*Madras Highways Department*”,—
- (i) for the entry in column 1, against serial No. 1, the following entry shall be substituted, namely:—  
 “Sri H. S. Syamala Rao”;
- (ii) for the entry in column 1, against serial No. 4, the following entry shall be substituted, namely:—  
 “Sri G. Kameswara Rao”;
- (iii) for the entry in column 1, against serial No. 15, the following entry shall be substituted, namely:—  
 “Sri M. Radhakrishnamurthy”;
- (iv) for the entry in column 1, against serial No. 17, the following entry shall be substituted, namely:—  
 “Sri S. Venkataraman”; and
- (e) under the sub-heading “Non-Gazetted Technical” below the heading “*Madras Highways Department*”, for the entry in column 1, against serial No. 1 relating to Sri K. Yoganandarayana, the following entry shall be substituted, namely:—  
 “Sri K. Yegnanarayana”.

**S.R.O. 826.**—In exercise of the powers conferred by sub-section (2) of section 63 of the Andhra State Act, 1953 (30 of 1953), the President hereby directs that the following amendments shall be made in the Order published with the Government of India in the Ministry of Home Affairs No. S.R.O. 2245, dated the 7th December, 1953, namely:—

In the Schedule to the said Order, under the heading "Madras Agricultural Department"—

- (i) under the sub-heading "Madras Agricultural Service", for the entry in column (2) against serial No. 5 relating to Sri H. Hanumantha Rao, the following entry shall be substituted, namely:—

"Assistant Agricultural Engineer (Mech.) as Assistant Agricultural Engineer, Community Projects, East Godavari District."; and

- (ii) for the sub-heading "Ministerial Staff" the sub-heading "Madras Ministerial Service" shall be substituted.

[No. 26/4/53-III-AIS(I).]

N. N. CHATTERJEE, Dy Secy.

### MINISTRY OF FINANCE

(Department of Economic Affairs)

*New Delhi, the 8th March 1954*

**S.R.O. 827.**—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (X of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 11 of the said Act shall not apply to the following banking companies for a period upto and including the 31st March, 1955, namely:—

- (1) Bank of Konkan Ltd.
- (2) Banthia Bank Ltd.
- (3) Cochin Nayar Bank Ltd.
- (4) Cochin Union Bank Ltd
- (5) Engandiyoor Banking and Vyapara Co. Ltd
- (6) National Trust Bank Ltd.
- (7) New Citizen Bank of India Ltd
- (8) Prabartak Bank Ltd.
- (9) Purnea Banking Corporation Ltd.
- (10) Tirukkattupalli Bank Ltd.
- (11) Bank and Stores Ltd.
- (12) Morvi Mercantile Bank Ltd.

[No. 4(47)-F.1/54.]

N. C. SEN GUPTA, Dy. Secy.

(Department of Economic Affairs)

*New Delhi, the 9th March 1954*

**S.R.O. 828.**—In exercise of the powers conferred by section 12 of the Capital Issues (Continuance of Control) Act, 1947 (XXIX of 1947), the Central Government hereby makes the following rules, namely:—

1. (1) These rules may be called the Capital Issues (Applications For Consent) Rules, 1954.

(2) The rules shall come into force on the 1st April, 1954.

2. In these rules, unless the context otherwise requires, "the Act" means the Capital Issues (Continuance of Control) Act, 1947 (XXIX of 1947).

3. All applications for the issue of capital under the Act, other than the securities exempted from the provisions of sections 3, 4 and 5 of the Act by the Capital Issues (Exemption) Order, 1949, published with the Government of India, Ministry of Finance, No. F.14(1)-CCI/49, dated the 20th January, 1949, shall be made, in

quintuplicate, to the Controller of Capital Issues, Ministry of Finance, Department of Economic Affairs, New Delhi, in conformity with the requirements laid down in the questionnaire specified in the Schedule annexed to these rules.

4. Every application under these rules shall be accompanied by a Treasury receipt for Rs. 50 which shall, at Bombay, Calcutta, Delhi and Madras, be deposited in the Reserve Bank of India and at other places in the nearest Government Treasury or in the nearest Branch of the Imperial Bank of India. The amount shall be credited to the head "XLVI—Miscellaneous—Miscellaneous".

5. An application made under rule 4 shall include a request asking for—

- (i) the consent of the Central Government to the issue of capital under the provisions of the Act;
- (ii) any alteration in the terms and conditions of a consent previously given by the Central Government or any extension of the period of validity for which such consent was given;
- (iii) the regularisation of the issue of any capital made without the prior consent of the Central Government, and
- (iv) the consent of the Central Government under the Act in respect of any matter not specifically mentioned in any of the foregoing clauses of the rule.

6. No application under these rules shall be entertained unless it is accompanied by sufficient proof of the payment of the fee mentioned in rule 4.

#### SCHEDULE

#### NOTICE

#### CONTROL OF CAPITAL ISSUES

#### *Capital Issues (Continuance of Control) Act, 1947*

Applications for consent to the issue of capital by companies should be addressed to the Controller of Capital Issues, Ministry of Finance, Government of India, New Delhi, and should be made in the form of a letter which should include answer to the questions shown below.

NOTE.—(1) The answers should follow the order of these questions and the short title of each question should be quoted against the corresponding answer. The letter (with enclosures) should be accompanied by two additional copies in the case of banking and insurance companies and five additional copies in the case of other companies. In the case of bonus issues, only one copy need be sent.

(2) Where the capital proposed to be issued is in respect of an industrial undertaking for which a licence has to be obtained under the Industries (Development and Regulation) Act, 1953, an application for the licence should be made simultaneously in the form prescribed for that purpose in the Registration and Licensing of Industrial Undertaking Rules, 1953, to the Secretary, Ministry of Commerce and Industry, Government of India, New Delhi.

1. *Name*.—Name or proposed name of company.

2. *Incorporation*.—Place of registration of company and of head office; and whether public or private.

3. *Previous applications*.—Give particulars of any application previously made to the Government of India since the 17th May 1943 or to any former State Government in this connection by or on behalf of the same parties. In case of a previous application having been made to a former Indian State Government, indicate the concessions, if any, given by that Government, and whether these concessions are still valid.

4. *Business*.—(a) Proposed business of the company, with particular reference to the issue now proposed. (Mere reference to the objects stated in the Memorandum of Association, a copy of which should be enclosed, will not be acceptable).

(b) The place where the actual operations of the company are to be carried on (not the company's head office).

5. *Directors*.—Give names and business addresses of directors (or in the case of new companies of promoters and proposed directors). Say whether proposed directors have agreed in writing to serve. Also give names of companies, if any, with which the directors are associated either as Managing Agents or Directors.

6. *Managing Agents.*—Give name and address of Managing Agents, if any appointed or to be appointed, enclosing copies of Managing Agency agreements entered into, if any. Give also the names of companies for which the Managing Agents, or any partner of the managing agents are also acting in a similar capacity. If the managing agent is a Company, give the names of Companies on which a Director of the managing agent company is also a Director or a Managing Director. Also state the interest of the Managing Agents in the company particularly with regard to the shares held and otherwise.

7. State the extent of interest of the existing or the new Managing Agents, and or Directors in the company.

8. *Total amount of issue.*—Whether for cash or not for cash.

9. *Cash issues: amount.*—Exact amount of shares, debentures and any other security which it is desired to issue at this stage for cash, distinguishing between ordinary, preference and deferred shares and giving the nominal value and issue price of each, and describing voting rights of each class of shares. Premium and entrance fee to be included in issue price. In the case of debentures, state clearly whether these are to be issued at par, premium or discount and state period of redemption. State also if it is intended to raise any loan by hypothecation of the assets. If the shares are to be issued at a premium, state reasons therefor. For existing companies whose shares are not quoted on any stock exchange, state the rates at which shares of the same class as that proposed to be issued, have recently been transferred, also state the rate of dividend paid on the shares for the preceding five years.

*Cash issues: Nature.*—(a) Will the above cash issue be public or private if both, to what extent of each kind?

(b) If public, give proposed terms of the issue, e.g. names of underwriters amount of commission and how payable, issue of prospectuses or circulars, etc. A definite statement should be made by the promoters that they would comply with the provisions of the Indian Companies Act regarding the issue of prospectus.

(c) State the amount and arrangements which the promoters have made for the subscription of capital privately by them or their friends. State whether the company has any existing non-resident shareholders.

(d) In case of any arrangement for issue of shares to non-residents:—

(i) state the number and total value of shares out of the proposed issue which will be allotted to them.

(ii) Copies of agreements for supply of technical assistance, if any, should be enclosed, stating whether any amount by way of royalties, etc. is to be paid and the basis on which it is to be determined.

(iii) state whether and what arrangements have been made for the training of Indian and in what form the technical assistance is proposed to be given.

10. *Cash expenditure:* (a) *Objects.*—The exact manner in which the proceeds of the cash issue will be expended, showing amounts to be allocated to the various items. For concerns undertaking various businesses, expenditure for each business should be given separately, stating clearly the amount required separately for fixed capital expenditure and working capital. Also state the immediate and ultimate requirements of capital.

(b) *Machinery and plant.*—State nature, amount and source. If from sources outside India, state whether an application for registration has been made to the Chief Controller of Imports, and if so, whether registration has been accorded (quote No. and date of registration certificate).

(c) *Goods other than capital goods.*—If the business of the concern will involve imports of raw materials or of goods in trade from sources outside India, give particulars.

(d) State estimated foreign exchange requirements of the company from year to year on account of imports of (i) machinery and machine tools, and (ii) raw materials.

11. *Issues not for cash.*—(a) Give details in question 9 of any securities which are to be issued for consideration other than cash.

(b) Details of such consideration.

(c) Names of parties.

12. *Other particulars.*—(a) Any additional facts which you wish to adduce in support of your application. In case of an application for putting up a factory, give full details of the scheme, i.e., location of the factory, (availabilities of raw materials, transport facilities, power, etc.)

(b) In case of existing companies, state date of incorporation and amounts of capital already subscribed and already paid up, and forward a copy of each of latest balance sheet and profit and loss account with certified translation in English, if not in that language.

(c) In case of issue of bonus shares, a proforma up-to-date statement of accounts should be added stating what appropriations are to be made from the profit and loss account balance and net balance to be carried forward to next year. Please also state whether reserves have been created out of genuine profits (e.g. not by a revaluation of fixed assets).

13. *New insurance companies.*—In the case of new insurance companies, give the following information:—

- (i) Copies of agreements, if any, that have been entered into, or proposed to be entered into, between the company and any of its officers, including its Managing Director or Manager.
- (ii) Amount of insurance business that is expected to be available to the company in the area of its operation, and the number and names of companies already operating in that area.
- (iii) Reasons, if any, for considering the existing facilities for insurance as inadequate.
- (iv) The experience and technical qualifications of the members of the Board of Directors or promoters or other officers of the company.

14. *Purchase of existing concerns.*—If an existing concern or its assets are to be acquired, give names of concern and owner, together with a set of balance sheets for last three years, and purchase price with details of valuation, accompanied by a valuation report by an independent authority of the assets proposed to be acquired and justify amount charged for goodwill, if any.

P. C. BHATTACHARYYA,  
Controller of Capital Issues.

[No. F.14(4)-CCI/52.]

D. L. MAZUMDAR,  
Controller of Capital Issues.

#### MINISTRY OF FINANCE (REVENUE DIVISION)

New Delhi, the 13th March 1954

#### RESOLUTION

#### CUSTOMS

#### CORRIGENDUM.

**S.R.O. 829.**—In the list of Cotton piecegoods appended to the Government of India, Ministry of Finance (Revenue Division), Resolution No. 250(8)-Cus.I/48 dated the 30th April, 1948, the words "Corded cloth (cotton) other than Corduroy, having no pile formation" shall be substituted for the item "Corduroy and corded cloth (cotton), having no pile formation".

[No. 28.]

A. K. MUKARJI, Dy. Secy.

#### CUSTOMS

New Delhi, the 13th March 1954

**S.R.O. 830.**—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that the following amendment shall be made in the notification of the Government

of India in the Ministry of Finance (Revenue Division), S.R.O. 76—Customs, dated the 9th January 1954, namely:—

In the said notification for the word “Urdu”, the word “Gujarati” shall be substituted.

[No. 29.]

E. RAJARAM RAO, Jt. Secy.

### MINISTRY OF COMMERCE AND INDUSTRY

*Bombay, the 25th February 1954*

**S.R.O. 831.**—In exercise of the powers conferred on me by sub-clause (1) of clause 3 of the Cotton Control Order, 1950, I hereby direct that the following further amendments shall be made in the Textile Commissioner's Notification No. S.R.O. 1785, dated the 23rd October 1952, namely:—

In the said Notification, in paragraph 4—

I. in clause (i), after the words “Bombay State” a comma shall be inserted and after the said comma, the following words shall be inserted, namely:—

“Raichur District of the Hyderabad State, the Mysore State, and the Andhra State.”

II. for clause (p) the following shall be substituted, namely:—

“(p) ‘Kalyan’ means cotton recognised as such and grown—

(i) in the Ahmedabad and Mehsana Districts of the Bombay State, provided that the areas in which the cotton has been grown have been protected under the Cotton Transport Act 1923, (Act III of 1923), and the seeds required for sowing have been duly approved by the Department of Agriculture of the said State;

(ii) in Saurashtra State, provided that the areas in which the cotton has been grown have been protected under the Cotton Transport Act, 1923 (Act III of 1923) or any corresponding Act, the seeds required for sowing have been duly approved and supplied by the Department of Agriculture of the said State, and the produce has been certified by the said Department as being ‘Kalyan’.”

[No. 44(12)-CT(A)/53.]

M. R. KAZIMI, Joint Textile Commissioner.

S. A. TECKCHANDANI, Under Secy.

### MERCHANDISE MARKS

*New Delhi, the 2nd March 1954*

**S.R.O. 832.**—In exercise of the powers conferred by sub-section (1) of section 12A of the Indian Merchandise Marks Act, 1889 (IV of 1889), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 440, dated the 31st March, 1951, the same having been previously published as required by sub-section (4) of the said section.

In Part II of the Schedule to the said notification, the following item shall be added after item 6, namely:—

“7. Fountain pen ink and ink of all kinds. On the bottles and paper cartons.”

2. This amendment shall take effect on and from the 6th June, 1954.

[No. 3(16)TM&P(MM)/53.]

J. N. DUTTA, Dy. Secy.

*New Delhi, the 5th March 1954*

**S.R.O. 833.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (LXV of 1951), and in partial modification of the Order of the Government of India in the Ministry of Commerce and Industry, No. S.R.O. 454, dated the 4th March, 1953, the Central Government hereby appoints Shri K. A. Varugis, Director, the Fertilisers and Chemicals Travancore Limited, Alwaye, as a member of the Development Council for the scheduled industry engaged in the manufacture and production of Heavy Chemicals (Acids and Fertilisers), established by the said Order, with effect from the 17th December 1953 to represent the interests of owners of industrial undertakings in the said scheduled industries *vice* Shri V. Seshasayec who resigned.

[No. 5(3)LA(G)/53.]

P. S. SUNDARAM, Under Secy.

#### ORDER

*New Delhi, the 13th March 1954*

**S.R.O. 834.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendment shall be made in the Cotton Textiles (Control) Order, 1948, namely:—

For clause 13 of the said Order, the following clause shall be substituted, namely:—

"13(1). No person shall manufacture or cause to be manufactured any cloth containing any sizing or filling material or both of any description which exceeds in the aggregate twenty per centum of the weight of the cotton in the cloth.

(2) The total quantity of starchy materials of any description used by any producer during any half year that is, from January to June or from July to December of any year, for sizing any description of cloth, the count of warp yarn of which, whether single or folded, is 35s and below shall include not less than 33-1/3 per centum Tamarind Kernel Powder and every producer who during any such half year fails to use at least the aforesaid percentage of Tamarind Kernel Powder as sizing material shall be deemed to have contravened the provisions of this Order.

(3) Nothing in sub-clause (2) shall apply to any producer in relation to any cloth produced by him for purposes of export out of India."

[No. 9 (4)-CT(A)/54-3.]

B. K. KOCHAR, Dy. Secy.

#### MINISTRY OF FOOD AND AGRICULTURE

*New Delhi, the 5th March 1954*

**S.R.O. 835.**—In pursuance of sub-clause (1) of clause 5 of the Vegetable Oil Products Control Order, 1947, the Vegetable Oil Products Controller for India hereby directs that the following amendment shall be made in the Notification of the Government of India in the Ministry of Agriculture No. 5-VP(2)/49, dated 30th July, 1949, namely:—

In sub-clause (1) of clause I of the said notification—

after the words "as the case may be" the words "or 'made from Vegetable Oils only'" shall be inserted.

[No. 5-VP(6)/54/1170.]

P. A. GOPALAKRISHNAN,

Vegetable Oil Products Controller for India.

## (Agriculture)

New Delhi, the 5th February 1954

**S.R.O. 836.**—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading & Marking) Act, 1937 (I of 1937), the Central Government hereby directs that the following further amendments shall be made to the Tobacco Grading & Marking Rules, 1937, the same having been previously published as required by the said section.

In the said Rules—

(1) In Schedule III—

(a) in the second footnote marked “@” for the word and figure “Grade I” the word and letters “Grade VBT” shall be substituted;

(b) for the last footnote marked “\$ perished Leaf” the following footnote shall be substituted, namely:—

“\$ perished leaf or strips”.

(2) In Schedule IV—

(a) in the second footnote marked “@” for the word and figure “Grade I” the word and letters “Grade CBT” shall be substituted;

(b) for the fourth footnote marked “\$” the following footnote shall be substituted, namely:—

“\$ perished leaf or strips”.

[No. F.16-31/53-Dte.II.]

New Delhi, the 5th March 1954

**S.R.O. 837.**—The following draft of a further amendment in the Tobacco Grading and Marking Rules, 1937, which it is proposed to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (I of 1937) is published as required by the said section, for information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration after the expiry of 15 days from the date of issue of this notification.

Any objection or suggestion which may be received from any person with respect to the said draft before the time specified will be considered by the Central Government.

*Draft Amendment*

In Schedule IV to the said Rules after grade designation the following grade designation and definition of quality of unmanufactured Sun-cured ‘Natu’ (country) tobacco shall be added, namely:—

*“Special Characteristics*

Grade designation	Colour	Texture	Blmish
CG	Wholly or partly green	Medium to coarse	2/16”

[No. F.16-34/53-Dte.II.]

N. S. SREEKANTIAH, Under Secy.

## (Agriculture)

New Delhi, the 6th March 1954

**S.R.O. 838.**—In pursuance of the provisions of sub-section (o) of section 4 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), Mr. E. P. Anastasiades of M/s. Rallis India Ltd., New Delhi, is renominated as a member of the Indian Central Oilseeds Committee with effect from 1st April, 1954.

[No. F.6-5/54-Com.I.]

F. C. GERA, Under Secy.



**MINISTRY OF HEALTH***New Delhi, the 4th March 1954*

**S.R.O. 839.**—It is hereby notified for general information that in pursuance of the provisions of clause (a) of sub-section (3) of section 14 and section 15 of the Indian Nursing Council Act, 1947 (XLVIII of 1947), the Indian Nursing Council has by a resolution passed at its meeting held on the 9th of December, 1953, declared that the following qualification granted by the Health Department of the Government of Madras shall be a recognised qualification for the purposes of the said Act only when granted before the 31st December, 1952, namely:—

Certificate in Midwifery granted to pupil Health Visitors.

[No. F.2-7/53-MI(Med).]

J. N. SAKSENA, Under Secy.

**MINISTRY OF RAILWAYS****(Railway Board)***New Delhi, the 5th March 1954*

**S.R.O. 840.**—In exercise of the powers conferred by section 47 of the Indian Railways Act, 1890 (IX of 1890) and by the notification of the Government of India in the late Department of Commerce and Industry No. 801, dated the 24th March, 1905, the Railway Board hereby directs that the following further amendment shall be made in the General Rules for all open lines of railways in India administered by the Government, published with the notification of the Government of India in the late Railway Department (Railway Board) No. 1078-T, dated the 9th March 1929, namely:—

In the Schedule appended to Part III of the said Rules, in column 4, against Serial No. 19, after the words “with good quality plaster of Paris” in item (ii) the word “or” shall be inserted and after item (ii) as so amended, the following item shall be inserted, namely:—

“(iii) with Kaolin (China clay and Sodium Silicate).”

[No. 1375-TG.]

RANJIT SINGH, Dir. Transportation.

**MINISTRY OF REHABILITATION****ORDER***New Delhi, the 11th February 1954*

**S.R.O. 841.**—In exercise of the powers conferred by sub-section (1) of section 19 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby orders that all cases in respect of composite properties situated in the Tehsils of Narsingarh and Jagadhari of Ambala District pending before Shri Amir Chand, Competent, Officer, Ambala, shall stand transferred to Shri Des Raj Misra, Competent Officer, Karnal.

[No. 32(10)/53-Prop.]

MANMOHAN KISHEN, Under Secy.

**MINISTRY OF TRANSPORT****(Transport Wing)****PORTS***New Delhi, the 6th March 1954*

**S.R.O. 842.**—In exercise of the powers conferred by sub-section (3) of section 3 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby authorises Messrs. S. K. Pradhan and B. T. A. Pereira, pilots of the Bombay Port Trust, to pilot vessels in the Port of Bombay.

[No. 8-PI(53)/54.]

*New Delhi, the 13th March 1954*

**S.R.O. 843.**—The following draft of a further amendment in the Port of Bombay Passenger Boats Rules, 1921, published with the notification of the Government of Bombay in the Marine Department, No. 186, dated the 25th January, 1921, which it is proposed to make in exercise of the powers conferred by clause (k) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), is published, as required by sub-section (2) of the said section, for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration after the 15th April, 1954.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

*Draft amendment*

To rule 25 of the said Rules the following proviso shall be added, namely:—  
“Provided that the Deputy Conservator where he so thinks fit, may on application by the hirer of any such boat, allow the boat, to anchor or lay off any pier or bund or other than the one for which the licence in respect of such boat has been granted.”

[No. 8-PI(49)/54.]

K. NARAYANAN, Under Secy.

**MERCHANT SHIPPING**

*New Delhi, the 9th March 1954*

**S.R.O. 844.**—In pursuance of rule 42 of the Indian Merchant Shipping (Life-Saving Appliances) Rules, 1934, the Central Government hereby directs that the following amendment shall be made in the Rules relating to the Examination of Seamen for Certificates of Efficiency as Lifeboatmen published with the notification of the Government of India in the Ministry of Transport No. S.R.O. 1953, dated the 30th November, 1951, namely:—

In rule 3 of the said rules relating to “Qualifications of Candidates” the words “in the case of pursers, wireless operators, engineers, surgeons or other officer ratings who apply for examination, and not less than one year in the case of deck ratings, firemen, stewards and all other candidates” shall be omitted.

[No. 67-MA(3)/54.]

S. K. GHOSH, Dy. Secy.

**REGISTRAR JOINT STOCK COMPANIES**

**NOTICES**

*Madras, the 17th February 1954*

**In the matter of the Indian Companies Act, 1913 and The Indian Tobacco Company Ltd.**

**NOTICE PURSUANT TO SECTION 172(2)**

**S.R.O. 845.**—By an order, dated the 4th day of August 1953 of the High Court, Madras, in O.P. No. 127 of 1953, the Indian Tobacco Company Ltd., was ordered to be wound up.

*Madras, the 19th February 1954*

**In the matter of the Indian Companies Act, 1913 and in the matter of Sree Lakshmi Narayana Funds Limited**

**NOTICE PURSUANT TO SECTION 172(2)**

**S.R.O. 846.**—By an order, dated 20th April 1953 of the High Court, Madras, in O.P. No. 386 of 1952, Sree Lakshmi Narayana Funds Limited was ordered to be wound up.

*Madras, the 25th February 1954*

**In the matter of the Indian Companies Act, 1913 and the Prithvi Rajkumar Bros. Chit Fund Co. Ltd.**

**NOTICE PURSUANT TO SECTION 247(3)**

**S. R.O. 847.**—Whereas communications addressed to the company at its registered office remain unanswered or are returned undelivered by post office;

And whereas it appears accordingly that the Prithvi Rajkumar Bros. Chit Fund Co., Ltd., is not carrying on business or is not in operation;

Notice is hereby given pursuant to section 247(3) of the Indian Companies Act, 1913 that unless cause is shown to the contrary before the expiration of three months from the date of this notice the name of the said company will be struck off the register and the said company dissolved.

K. GOPAUL, Asstt. Registrar,  
Joint Stock Companies, Madras.

*Madras, the 19th February 1954*

**In the matter of the Indian Companies Act, 1913 (Act VII of 1913), and Vijaya Commercial Bank Ltd.**

**NOTICE PURSUANT TO SECTION 172(2)**

**S.R.O. 848.**—It is hereby notified that the High Court of Madras has by an order, dated 19th day of January, 1954 in O.P. No. 417 of 1953 directed that the Vijaya Commercial Bank Ltd., be wound up by the said court, under the provision of the Indian Companies Act, 1913 (Act VII of 1913).

(Sd.) ILLEGIBLE,  
for Registrar of Joint Stock Companies, Madras.

*Madurai, the 23rd February 1954*

**In the matter of the Indian Companies Act, 1913 and Tamilnad Talented Artists Corporation (Mathurai) Limited**

**NOTICE PURSUANT TO SECTION 247(3)**

**S.R.O. 849.**—Whereas Communications addressed to Tamilnad Talented Artists Corporation (Mathurai) Limited is not carrying on business or is not in operation.

Notice is hereby given pursuant to Section 247(3) of the Indian Companies Act, 1913 that unless cause is shown to the contrary before the expiration of 3 months from the date of this notice, the name of the said Company will be struck off the register and the said Company will be dissolved.

J. MUTHUVIRASWAMI NAYUDU,  
Asstt. Registrar, Joint Stock Companies, Madurai.

*Trivandrum, the 23rd February 1954*

**In the matter of the Indian Companies Act, VII of 1913 and of the Travancore International Bank Ltd. (In liquidation)**

**S.R.O. 850.**—Whereas from the fact that communications addressed to the Liquidator of the Company remain unanswered, it appears that no Liquidator is acting, it is hereby notified under section 247(4) of the Indian Companies Act, VII of 1913, that at the expiration of three months from the date of this notice the name of the company will, unless cause is shown to the contrary, be struck off the Register and the Company will be dissolved.

*Trivandrum, the 26th February 1954*

**Indian Companies Act, VII of 1913**

**NOTICE PURSUANT TO SECTION 247(3)**

**S.R.O. 851.**—Whereas from the fact that communications addressed to the companies, noted below, at their Registered offices remain unanswered, it appears that the companies are neither carrying on business nor are in operation, it is hereby notified under sub-section (3) of section 247 of the Indian Companies Act, VII of 1913, that at the expiration of three months from the date of this notice the

companies will, unless cause is shown to the contrary, be struck off the Register and the said companies will be dissolved:—

1. The Travancore-Cochin Industries Ltd., Quilon.
2. The Ayurveda Medicines and Services Ltd., Trivandrum.
3. The Vijayasree Films Ltd., Kottayam.
4. The Sri Rama Vilasam Syndicate Ltd., Vayala.
5. The South India Electrics Ltd., Kottayam.

P. J. VERGHESE,  
Registrar of Joint Stock Companies, Trivandrum.

*Coimbatore, the 24th February 1954*

**In the matter of the Indian Companies Act, 1913 and the Coimbatore Gowri Vilasa Nidhi Limited.**

NOTICE PURSUANT TO SEC. 247 (5).

**S.R.O. 852.**—With reference to the notice dated 10th November 1953 published on page 1412 of the Fort. St. George Gazette, Part II dated 18th November 1953 the above company not having shown cause to the contrary within the time fixed, the name of the company has, under Section 247(5) of the Indian Companies Act, 1913, been struck off the register.

R. SRINIVASAN,  
Asstt. Registrar of Joint Stock Companies, Coimbatore.

*Mangalore, the 24th February 1954*

FORM V

**In the matter of the Indian Companies Act, 1913 and Labour Employment Bureau Limited.**

NOTICE PURSUANT TO SEC. 247 (5).

**S.R.O. 853.**—With reference to the notice, dated 3rd November, 1953, published on page 1412 of Part II of Fort St. George Gazette, Madras, dated 18th November, 1953, the above company not having shown cause to the contrary within the time fixed, the name of the company, has, under section 247 (5) of the Indian Companies Act, 1913, been struck off the register.

FORM V

**In the matter of the Indian Companies Act, 1913 and Mohan Engineering Ltd.**

NOTICE PURSUANT TO SECTION 247(5)

**S.R.O. 854.**—With reference to the notice, dated 3rd November, 1953, published on page 1412 of Part II of Fort St. George Gazette, Madras dated 18th November 1953, the above company not having shown cause to the contrary within the time fixed, the name of the company, has, under section 247(5) of the Indian Companies Act, 1913, been struck off the register.

K. S. RAO,  
Assistant Registrar of Joint Stock Companies,  
South Kanara.

*Cuddapah, the 24th February 1954*

DESTRUCTION OF RECORDS

**S.R.O. 855.**—Notice is hereby given that pursuant to the rules framed under the Destruction of Records Act, 1917 (Act V of 1917) the document and correspondence relating to the undermentioned company registered under Indian Companies Act 1913 (Act VII of 1913) which were dissolved seven years previous to

the date of this notice [G.O. No. 1785, Home (Judicial), dated 27th July 1920] will be destroyed after three months from the date of publication of this notice.

Serial number	1 of 1930-40
Name of Company	The India Devi Films Limited
Date of registration	8th July, 1939
Act under which registered	Indian Companies Act 1913 (Act VII of 1913)
Objects	X Hotels Theatres, Entertainments manufacturing films
Situation of registered office	14/396 Gunta Bazar, Nagarajapur, Cuddapah

*Names of the last directors—*

- (1) V. Hanumantha Naidu, Adapur, Nandalur P.O.
- (2) P. Dharmanaidu, Patur, Nandalur P.O.
- (3) Byreddi Ranga Reddy, Peddamudiam, Jammalamadugu P.O.
- (4) Sontambola Reddy, Obulampalle, Chennur P.O.

*Cuddapah, the 25th February 1954*

**In the matter of the Jammalamadugu Parvathi Sanker Pharmacy Ltd.,**

**NOTICE PURSUANT TO SECTION 247(5)**

**S.R.O. 856.**—With reference to the notice dated 13th July 1953 published on P. 970 of Part II of the Fort St. George Gazette dated 22nd July 1953, the above company not having shown cause to the contrary within the time fixed, the name of the company has under sec. 247(5) of the Indian Companies Act 1913 been struck off the register.

**S. SANKARANARAYANA PATNAIK,**

Asstt. Registrar of Joint Stock Companies, Cuddapah.

*Patna, the 24th February 1954*

**In the matter of the Indian Companies Act, VII of 1913 and The Patliputra Transport Co. Ltd.,**

**S.R.O. 857.**—Whereas the Patliputra Transport Co. Ltd., Bankipur (Patna) was duly served with a notice dated the 9th October, 1953 under section 247(3) of the Indian Companies Act, but has for a period of three months failed to show cause, why its name should not be struck off the register kept in this office, I do hereby give notice under section 247(5) of the Act that the name of the said company has this day been struck off the register, and the company is dissolved.

**In the matter of the Indian Companies Act, VII of 1913 and Naya Bihar Press Limited.**

**S.R.O. 858.**—Whereas the Naya Bihar Press Ltd., Kadamkuan, (Patna) was duly served with a notice dated the 10th October, 1953 under section 247(3) of the Indian Companies Act, but has for a period of three months failed to show cause why its name should not be struck off the register kept in this office. I do hereby give notice under section 247(5) of the Act that the name of the said company has this day been struck off this register, and the company is dissolved.

*Patna, the 25th February 1954*

**In the matter of the Indian Companies Act, VII of 1913, and The Bihar Farming & Industries Ltd.,**

**S.R.O. 859.**—Whereas, in pursuance of subsections (1) and (2) of Section 247 of the Indian Companies Act, 1913 two letters were issued to the Director Incharge of the Bihar Farming & Industries Ltd., Hazaribagh, a duly registered and incorporated company under the Act, but no reply thereto, has been received I do hereby give notice under section 247(3) of the Act that the name of the company, will, unless cause is shown to the contrary, be struck off the register at the expiration of three months from the date of this notice.

**S. P. SINHA,**

Registrar, Joint Stock Companies, Patna.

*Tanjore, the 26th February 1954*

**In the matter of the Indian Companies Act 1913 and The Oriental Finance Ltd.,  
Manthakarai St., Ayyampet.**

**NOTICE PURSUANT TO SECTION 247(3)**

**S.R.O. 860.**—Whereas communication letter No. 536-K dated, the 20th January 1954 addressed to the Oriental Finance Limited, at its registered office, remains unanswered;

And whereas it appears accordingly that the Oriental Finance Limited is not carrying on business, or is in operation;

Notice is hereby given, pursuant to section 247/3 of the Indian Companies Act 1913, that unless cause is shown to the contrary before the expiration of three months from the date of this notice, the name of the said company will be struck off the register and the said company will be dissolved.

**K. V. PURUSHOTHAMAN,**

Assistant Registrar of Joint Stock Companies, Tanjore.

*Bombay, the 26th February 1954*

**In the matter of the Indian Companies Act, VII of 1913 and of the New Vita  
Motor Owner's Association Limited.**

**S.R.O. 861.**—Notice is hereby given pursuant to Section 247 of the Indian Companies Act VII of 1913, that at the expiration of three months from the date hereof the name of the New Vita Motor Owner's Association Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

*Bombay, the 4th March 1954*

**In the matter of the Indian Companies Act, VII of 1913 and of the Kotoma Limited**

**S.R.O. 862.**—Notice is hereby given pursuant to Sub-Section (5) of the Section 247 of the Indian Companies Act, VII of 1913 that the name of Kotoma Limited has this day been struck off the Register and the said Company is hereby dissolved.

**In the matter of the Indian Companies Act, VII of 1913 and of the Godavari Agricultural Products Limited**

**S.R.O. 863.**—Notice is hereby given pursuant to Section 247 of the Indian Companies Act, VII of 1913, that at the expiration of three months from the date hereof the name of the Godavari Agricultural Products Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

**In the matter of the Indian Companies Act, VII of 1913 and of the Shri Sangli Seeds  
Exchange Limited**

**S.R.O. 864.**—Notice is hereby given pursuant to Sub-Section (5) of the Section 247 of the Indian Companies Act, VII of 1913 that the name of Shri Sangli Seeds Exchange Limited has this day been struck off the Register and the said Company is hereby dissolved.

*Bombay, the 5th March 1954*

**In the matter of the Indian Companies Act, VII of 1913 and of the Faizpur Transport Limited**

**S.R.O. 865.**—Notice is hereby given pursuant to Section 247 of the Indian Companies Act, VII of 1913, that at the expiration of three months from the date hereof the name of the Faizpur Transport Limited will, unless cause is shown to the contrary, be struck off the Register and the said Company will be dissolved.

**In the matter of the Indian Companies Act, VII of 1913 and of the Alfred W. Brooke  
(Eastern) Limited**

**S.R.O. 866.**—Notice is hereby given pursuant to Sub-Section (5) of the Section 247 of the Indian Companies Act, VII of 1913 that the name of Alfred W. Brooke

(Eastern) Limited has this day been struck off the Register and the said Company is hereby dissolved.

M. V. VARERKAR,  
Registrar of Companies, Bombay.

*Hyderabad, the 1st March 1954*

**In the matter of the Indian Companies Act, 1913 (VII of 1913) and The Mercantile Corporation Limited.**

**NOTICE PURSUANT TO SECTION 247(3)**

**S.R.O. 867.**—Notice is hereby given pursuant to Sub-Section 3 of Section 247 of the Indian Companies Act, that, at the expiration of three months from the date hereof the name of the Mercantile Corporation Limited of Koppal, Hyderabad, will, unless cause is shown to the contrary, be struck off the Register, and the Company will be dissolved.

[No. 614.]

M. A. RASHEED,  
Registrar, Jt. Stock Cos., Hyderabad.

*Lucknow, the 2nd March 1954*

**S.R.O. 868.**—Whereas "Shri Rashtriya Industries Ltd.", a company registered under the Indian Companies Act, VII of 1913, with its registered office at 28, Pandariba, Allahabad, appears to have been closed and whereas the undersigned has reasonable cause to believe that the company is not carrying on any business or is in operation, notice is hereby given in accordance with the provisions of section 247(3) of Act, VII of 1913, that at the expiration of 3 months from the date hereof the name of the company will, unless cause is shown to the contrary, be struck off the registers of companies and the company will be dissolved.

S. B. BANERJI,  
Registrar, Joint Stock Companies, U.P., Lucknow.

*Delhi, the 4th March 1954*

**In the matter of M/s M. S. Chemical Industries Ltd.**

**NOTICE UNDER SECTION 247(3) OF THE INDIAN COMPANIES ACT VII OF 1913**

**S.R.O. 869.**—Whereas there is reasonable cause to believe that the company named M/s. M. S. Chemical Industries Ltd. is not carrying on business nor is in operation it is hereby notified that at the expiration of three months from the date hereof, the name of the company will, unless cause is shown to the contrary, be struck off the Register and the company will be dissolved.

[No. C/721/J.S.C.]

**In the matter of M/s. Bharti Studios & Cinemas Ltd.**

**NOTICE UNDER SECTION 247(5) OF THE INDIAN COMPANIES ACT VII OF 1913**

**S.R.O. 870.**—With reference to my Notification No. C. 1223/J.S.C. dated the 19th August 1953, published under Section 247 (3) of the Indian Companies Act 1913, it is hereby notified that under the provisions of Section 247 (5) of the said act, the company known as Bharti Studios & Cinemas Ltd., has been struck off the Register.

[No. C. 1223/J.S.C.]

**In the matter of M/s. Star of India Insurance Co. Ltd.**

**NOTICE UNDER SECTION 247(5) OF THE INDIAN COMPANIES ACT VII OF 1913**

**S.R.O. 871.**—With reference to my Notification No. C. 1633/J.S.C. dated the 9th September 1953, published under Section 247 (3) of the Indian Companies Act 1913, it is hereby notified that under the provisions of Section 247 (5) of the said Act, the company known as M/s. Star of India Insurance Co. Ltd., has been struck off the Register.

[No. C. 1633/J.S.C.]

Delhi, the 5th March 1954

**In the matter of M/s. Delhi Garh Transport Ltd.**

NOTICE UNDER SECTION 247(5) OF THE INDIAN COMPANIES ACT VII OF 1913

**S.R.O. 872.**—With reference to my Notification No. C. 811/J.S.C. dated the 19th August 1953, published under Section 247 (3) of the Indian Companies Act, 1913, it is hereby notified that under the provisions of Section 247 (5) of the said act, the company known as M/s. Delhi Garh Transport Ltd., has been struck off the Register.

[No. C. 811/J.S.C.]

**In the matter of M/s. The Jawahar Chemical & Pharmaceutical Works Ltd.**

NOTICE UNDER SECTION 247(5) OF THE INDIAN COMPANIES ACT VII OF 1913

**S.R.O. 873.**—With reference to my Notification No. C. 1108/J.S.C. dated the 17th August 1953, published under Section 247 (3) of the Indian Companies Act, 1913, it is hereby notified that under the provisions of Section 247 (5) of the said act, the company known as The Jawahar Chemical & Pharmaceutical Works Ltd., has been struck off the Register.

[No. C. 1108/J.S.C.]

**In the matter of M/s. The Cupid Art Production Ltd.**

NOTICE UNDER SECTION 247(5) OF THE INDIAN COMPANIES ACT VII OF 1913

**S.R.O. 874.**—With reference to my Notification No. C. 1399/J.S.C. dated the 9th September 1953, published under Section 247(3) of the Indian Companies Act, 1913, it is hereby notified that under the provisions of Section 247 (5) of the said act, the company known as M/s. The Cupid Art Production Ltd., has been struck off the Register.

[No. C. 1399/J.S.C.]

**B. R. SETH,**  
Registrar. Joint Stock Companies, Delhi.

**MINISTRY OF LABOUR**

New Delhi, the 2nd March 1954

**S.R.O. 875.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the dispute between the Imperial Bank of India, Ltd., and their workmen.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA**

20/1, GURUSADAY ROAD, BALLYGUNGE, CALCUTTA—19.

PRESENT:

Shri C. Bhaktavatsalu Naidu, B.A., B.L., *Chairman.*

REFERENCE No. 7 OF 1953.

*The Imperial Bank of India Ltd., Calcutta.*

*Vs.*

- (1) Shri Krishna Bahadur, and
- (2) Shri Dallm Kumar Chatterjee.

APPEARANCES:

Shri Niren De and Shri B. K. Choudhury, Counsel, for the workmen,  
Shri S. K. Mullick (Jr.) of Messrs Sandersons and Morgans, Solicitors, for the Bank.

**AWARD**

This Reference arises out of Order No. L.R. 100(89)I, dated 6th August 1953 whereby the dispute relating to 27 workmen employed in eight different Banks



was referred for adjudication to the Central Government Industrial Tribunal at Calcutta. The names of the workmen are set out in column 2 of the Schedule, the names of the employers in column 3, and the nature of the dispute in column 4 of the schedule to the said order.

As the order appointing me as Chairman, Central Government Industrial Tribunal at Calcutta was notified only on the 8th August 1953 it was found necessary to issue a fresh order of reference and accordingly order No. LR-100(89)I, dated 14th August 1953, was issued. As the dispute related to employees in eight different Banks it was thought expedient to have the disputes split up into eight References in order to facilitate service of notices and with a view to avoid confusion. The References were Nos. 4 to 11 of 1953. Disputes in respect of References Nos. 5, 8, 10 and 11 of 1953 were enquired into and an award was passed on the 30th November, 1953. The award in respect of Reference Nos. 4, 6 and 9 were passed on the 16th December 1953. The only other Reference that remained to be dealt with was this Reference (No. 7 of 1953), relating to the dispute between Shri Krishna Bahadur and Shri Dalim Kumar Chatterjee on the one hand and the Imperial Bank of India on the other. After this Reference was partially enquired into it was represented that the dispute relating to one of these employees *viz.* Shri Dalim Kumar Chatterjee, involved questions which are common to some of the disputes covered by Reference No. 12 of 1953 and it would therefore be more convenient to deal with the two References together. Enquiry relating to this Reference was therefore deferred till Reference No. 12 of 1953 became ready for disposal. After the enquiry relating to some of the employees in Reference No. 12 of 1953 was proceeded with it was found that the case relating to Shri Dalim Kumar Chatterjee could be disposed of without reference to the disputes involved in Reference No. 12 of 1953. The enquiry in this Reference was therefore closed and the award is being submitted as regards this dispute relating to the two employees *viz.* Krishna Bahadur and Dalim Kumar Chatterjee. With the submission of this award the disputes relating to all the 27 employees referred to in Order No. LR.100(89)I, dated 14th August 1953, have been completely dealt with and disposed of.

The dispute raised on behalf of Krishna Bahadur is as regards non-payment of bonus and the dispute as regards Dalim Kumar Chatterjee as it was found in the original Order of Reference was suspension from service. There was however an amendment in Ministry's Order No. LR.100(89), dated 16th November 1953 by which the dispute of dismissal from service was substituted for suspension from service since it transpired that though originally Shri Dalim Kumar Chatterjee was suspended from service with effect from 15th May 1949, his services were terminated on 20th October 1951. I shall now proceed to deal with the case of these two employees one after the other.

In the earlier stages of the enquiry Shri B. K. Chowdhury, Bar-at-Law represented the Imperial Bank of India Indian Staff Association and Shri S. K. Mullick(Jr.) Solicitor of Messrs. Sandersons & Morgans appeared for the Bank; but at a later stage however Shri Niren De, Bar-at-Law, appeared for the Association assisted by Shri B. K. Chowdhury while Shri S. K. Mullick (Jr.) continued to represent the management.

(1) *Krishna Bahadur*.—He was employed as a Bank Guard in Calcutta local head office. Relief sought in his case is payment of one month's bonus for the half-year ended 30th June 1949.

The following contentions are set out in the reply statement filed by the Imperial Bank of India. The Order of Reference is illegal and *ultra vires* inasmuch as the ex-employee was not a workman at the date of the said order of Reference and no industrial dispute arose or existed on the said date over the said non-payment of bonus. The said ex-employee has no *locus-standi* before the Tribunal. The alleged dispute is not an industrial dispute but an individual dispute and hence the Tribunal is not competent to adjudicate thereon and in any event the said dispute is belated and/or time barred and hence should not be entertained. The Imperial Bank of India Indian Staff Association is not competent to file any statement on behalf of the said ex-employee. In any event as the said Association did not pursue the case of this ex-employee before the All India Industrial Tribunal (Bank Disputes), they are estopped from agitating the matter again before this Tribunal. On the merits it is stated that, in view of the ex-employee leaving the service of the Bank on the 30th June 1949 without giving a month's notice which he was required to do, he is not entitled to any payment of

bonus because of the conditions under which the bonus for the period 1st January 1949 to 30th June 1950 was declared. The conditions were:

- (i) That any employee who was not on the service on 30th June, 1949, shall be eligible for the bonus;
- (ii) That employees who have resigned from the Bank's service after the 30th June 1950 would not be paid bonus unless they resign for unavoidable reasons e.g., for ill-health.

The points that arise for consideration are:

- (i) Whether the Order of Reference is illegal and *ultra vires* for the reason that the ex-employee was not a workman on the date of the Order of Reference;
- (ii) Whether the dispute is only individual dispute and hence cannot be enquired into by the Tribunal;
- (iii) Whether the dispute is belated and/or time barred;
- (iv) Whether the Imperial Bank of India Indian Staff Association is not competent to file a statement on behalf of the ex-employee;
- (v) Whether in any event the Association is stopped from agitating the matter in view of their having not pursued his case before the All India Industrial Tribunal (Bank Disputes);
- (vi) Whether the ex-employee is not entitled to bonus for the reason mentioned in the reply statement.

It may at once be stated that there is absolutely no substance in most of the legal objections raised by the Bank. It has now been clearly established that a dispute could be raised in regard to a workman even after he ceased to be an employee; and that even an individual dispute is an Industrial dispute and could be adjudicated upon. It has not also been shown as to how the dispute is belated or time barred nor has it been shown that the Imperial Bank of India Indian Staff Association is not representative of the workmen of the Bank. It is however seen that this dispute was referred to the All India Industrial Tribunal (Bank Dispute) known as the Sen-Tribunal and when the matter came up before it the case of Krishna Bahadur was not pressed. The Association which took up this attitude is the same Association which has now put forward this dispute on behalf of the ex-employee. I cannot accept the argument of Shri Choudhury that the workman is not bound by the withdrawal of the case by the Association and therefore he is entitled to press his case before this Tribunal. On this preliminary point therefore the claim of Krishna Bahadur fails and cannot be entertained.

If for any reason this view is not considered to be correct it would be necessary to decide the matter on the merits.

The case of the Bank is that bonus for the period 1st January 1949 to 30th June 1950, was declared under two conditions. So far as the first condition is concerned it would not be applicable as the workman was in service on 30th June 1950. The second condition is that an employee who resigned from the Bank's service after 30th June 1950 will not be entitled to bonus unless the resignation was for unavoidable reasons such as ill-health. No doubt at first sight this condition seems to be rather onerous but this is the condition on which other employees of the Bank were given bonus. The principle underlying the condition is that if any one chooses to resign from the service of the Bank even subsequent to the period for which the bonus is declared he should not get bonus unless the resignation was for unavoidable reasons. In other words if a workman voluntarily refused to give the benefit of his services to the Bank and chose to get employment elsewhere he should not get bonus for the prior period Exs. 1 to 6 filed on behalf of the Bank go to show that bonus was being granted only under these two conditions from 1945 onwards. Though this condition is somewhat hard upon the employee who chooses to resign the service of the Company for other than unavoidable circumstances, it cannot be said to be unreasonable or to be in the nature of penalty which should be relieved against. I am therefore of the opinion that even on the merits the workman is not entitled to the relief. The claim of Krishna Bahadur is therefore disallowed.

(2) *Dalim Kumar Chatterjee*.—Shri Dalim Kumar Chatterjee entered the service of the Bank as a Teller in the Howrah Branch in about December 1947 and was confirmed in May 1948. He was placed under suspension on 16th May 1949 in connection with an incident which took place on the 14th May 1949 relating to the loss of a bundle of ten packets of G. C. notes of Rs. 5/- of the value of Rs. 5,000/-. A report was made about this loss to the police and Shri D. K. Chatterjee along with his co-worker Shri Gopi Nath Roy and Cash Cooly Ganga

Rauth were arrested by the police and detained in the lock up. The residences of these three employees were searched by the police authorities but nothing incriminating was found and hence they were released on bail. By an order, dated 11th June 1949 S. D. O. Howrah discharged the said three persons. Nevertheless D. K. Chatterjee continued to be kept under suspension. On 13th June 1949 the Sen-Tribunal was appointed and during the latter part of December and early part of January 1950 the Sen-Tribunal heard the case of victimized persons and judgment was delivered on 20th February 1950. The award was published on the 6th March 1950. By this award Shri D. K. Chatterjee was directed to be reinstated on his paying the difference between one-third of Rs. 5,000/- and Rs. 900/- already paid by him i.e. Rs. 734-5-9. It was further directed that on his making the payment the suspension order should be set aside and the employee should be paid his salary and allowances for the six months next preceding his reinstatement. This order however was never implemented. On the other hand the Bank filed an application before the Calcutta High Court on 5th April 1950. The Bank subsequently filed an application and appeal to the Supreme Court against the award of the Sen-Tribunal on 3rd October 1950. On 17th January 1951 the Calcutta High Court gave a decision against the Bank and though Shri Chatterjee asked that his suspension order should be withdrawn the Bank refused to do so stating that the matter was under reference to the Supreme Court. On 9th April 1951, the Supreme Court held that the award of the Sen-Tribunal was void. Subsequently another Bank Tribunal was constituted on 17th July 1951 with Shri Divatia as the Chairman. In August 1951 Members of this Tribunal tendered their resignation. Between the resignation of this Tribunal and the appointment of Sastry-Tribunal on 8th January 1952 the Bank passed orders of dismissal against Shri Dalim K. Chatterjee and other employees. This was on 20th October 1951.

The Imperial Bank of India Indian Staff Association after setting out these facts very briefly in their statement of claim states that the termination of employment of Shri Dalim K. Chatterjee was wrongful and unjustifiable as no reason whatsoever was assigned and as the Bank acted arbitrarily without furnishing the employee with any charge or complaint. The Association also states that on this ground alone the employee is entitled to be reinstated and that even if any grounds or reasons are given by the Bank they are all based on facts which are incorrect, misleading and untenable and that on the other hand the facts would normally establish that the termination was wholly unjustifiable. The Association therefore claims that the employee should be reinstated and he should be placed in the same position as if the said employment had never been terminated and he should also be paid such moneys as may be found due to him on the above basis from the date of the purported termination of his employment including salary, Dearness Allowance, bonus and all other allowances and should also be given all benefits and privileges on the above basis including increment, promotion etc. which he would have received if his employment had continued.

The Bank has filed a reply statement averring the same legal pleas as are put forward in the case of Krishna Bahadur except the one relating to the non-prosecution of the case before the Sen-Tribunal.

As regards the merits the Bank denies that the termination was wrongful and states that the suspension was made as a security measure and that Shri Dalim K. Chatterjee never paid nor offered to pay Rs. 734-5-9 ordered to be paid by the Sen-Tribunal award. It is further stated that according to the established practice of the Bank, Cashiers were to work under a head cashier who is responsible to the Bank for the acts and intromissions of the cashiers and that having regard to Shri Chatterjee's refusal to pay his share in full of the said loss the Howrah head cashier refused to accept any responsibility for Shri Dalim K. Chatterjee's acts and intromissions. The Bank also states that even after the Sen-Tribunal award neither the said head cashier nor any other head cashier of the Bank agreed to accept the responsibility of the acts and intromissions of Shri Chatterjee and that in the circumstances the Bank was obliged to go on paying Shri Chatterjee his salary every month until his services were terminated without getting any work from him. It is also contended that the Sen Tribunal award having been found to be void Shri Chatterjee is not entitled to retain the salary paid to him pursuant to the said award and that parties should be in any event placed in their former position before the case could be adjudicated upon. The Bank admits that Shri Chatterjee's services were terminated but states that the termination was as a result of the refusal of the head cashier of the Branch wherein Shri Dalim K. Chatterjee had been working to accept the responsibility for the acts and intromissions of Shri Chatterjee in view of the latter's failure and refusal to reimburse the former the balance of his share of amount which the former had to pay to the Bank in terms of his service agreement on account of the loss of Rs. 5,000. The Bank

states that the termination was neither wrongful nor unjustified nor arbitrary and admits that no reason for termination was assigned, as according to the procedure it used to follow before the award of the Sen-Tribunal came into force it was not usual to assign any reasons. It is also stated that the Bank was not bound to frame charges or take explanation of the employees and that in any event the reasons for termination were fully known to Shri Chatterjee and the explanation given by him was duly considered by the Bank. The Bank has also set out in the statement in detail the circumstances relating to the loss of the bundle containing Rs. 5,000 currency notes, the police proceedings, the result of the investigation made by the police and the efforts made to recover the balance of Rs. 1,600 payable by Shri Chatterjee towards the moiety of the loss. The Bank reiterates that on account of the refusal of Shri Chatterjee to pay his share of the balance the head cashier refused to accept his responsibility for the acts and intromissions of Shri Chatterjee and in the circumstances the Bank had no other alternative than to terminate his employment and that therefore the question of reinstatement does not arise.

The only points that arise for consideration:

- (1) Whether the Order of Reference is illegal and ultra vires for the reason that the ex-employee was not a workman on the date of the Order of Reference;
- (2) Whether the dispute is only an individual dispute and hence cannot be enquired into by the Tribunal;
- (3) Whether the dispute is belated and/or time barred;
- (4) Whether the Imperial Bank of India Indian Staff Association is not competent to file a statement on behalf of the ex-employee;
- (5) Whether the termination of employment of Shri Chatterjee is justified and if not what relief is he entitled to whether reinstatement or compensation or both.

I may state at the outset that there is absolutely no force in any of the legal contentions put forward by the Bank. There is no doubt that this is an industrial dispute and there is no question of the dispute being belated or time barred. The Imperial Bank of India Indian Staff Association is competent to represent the workmen of the Bank and hence is entitled to press the dispute before this Tribunal. The only point that has to be considered at some length is as to whether the Bank was justified in terminating the Services of Shri Dalim K. Chatterjee under circumstances set out in the written statement. It has now been well-established that before an employee can be dismissed for misconduct a charge should be framed against the employee and he should be given an opportunity to explain, that there should be a bonafide enquiry and a finding that the employee is guilty of misconduct and that if none of these things take place and the employee's services are terminated without giving any reasons the procedure adopted would be against the principles of natural justice. It is admitted in the written statement the contentions of which have been set out above in detail that according to the procedure that the Bank followed prior to the Sen-Tribunal no reasons were ever assigned for termination of services and that there was no necessity to assign reason or to frame charges or take explanation of the employees. I cannot agree with the argument advanced on behalf of the Bank that if the normal procedure obtaining at that time was followed the Bank could not be blamed. The principles of natural justice were not laid down for the first time by the Sen award. These principles have been in existence always and the decisions have merely laid down that if these principles are violated the Employer's action could not be justified. It is no doubt true that there were proceedings before the police against Shri Dalim K. Chatterjee relating to the loss of Rs. 5,000 and he was called upon to submit his explanation which he eventually did but the termination of employment did not proceed on the ground of misconduct. On the other hand it is specifically stated in the written statement in more places than one, that Shri Chatterjee's employment was terminated as a result of his refusal to reimburse the head cashier the amount which he had to pay to the Bank by reason of the loss of Rs. 5,000. The argument advanced is that when this statement was filed the specific case of termination of service was not before the Tribunal and therefore the averments in the written statement should not be strictly scrutinized. But though in the original reference there was only a case of suspension yet the Association in the statement of claim had put forward the case relating termination and this specific case was answered by the Bank. I cannot therefore accept the contention that the pleadings should not be strictly construed. The case of an employee in the Cash Department of a Bank whose services were terminated just because a new guarantee cashier for Bank refused to guarantee the fidelity of the Bank's employees under

the old cashier came up for consideration before the Labour Appellate Tribunal in the case of the United Commercial Bank Ltd., Delhi, Vs. Nanny Chowkidar (reported in 1952 Labour Appeal Cases p. 82). In the said decision it has been observed that the Bank's Cash Department employees cannot be dismissed by the Bank simply to make room for the nominees of the new Cashier as it is not a question of *mala fides* but the protection of an employee. It has also been held that an employee in the Cash Department of a Bank is entitled to the same security of service as any other employee and that it should not depend upon the whim or patronage of the guarantee cashier or treasurer. No doubt there is a distinction between the case referred to therein and the present case. In this case there was a loss of Rs. 5,000 which occurred on 14th May 1949 which was duly reported to the police and Shri Dalim K. Chatterjee along with two others was taken into custody and was subsequently discharged. Shri Dalim K. Chatterjee was under suspension pending the investigation by the police but even after the order of discharge, the suspension order continued until his services were terminated as stated above. Before termination no charge of misconduct was framed against Shri Dalim K. Chatterjee nor was any enquiry held independently of the police, nor was there any finding arrived at on the evidence that Shri Dalim K. Chatterjee was guilty of misconduct. On the other hand the services were terminated without assigning any reason because the head cashier did not agree to stand guarantee for Shri Dalim K. Chatterjee and this refusal by the head cashier was as I would show presently due to the failure of Shri Dalim K. Chatterjee to pay the balance of the moiety of the amount which he was called upon to pay.

A point is made against the employee that he refused to submit an explanation but it is to be seen and even on the first occasion Shri Dalim K. Chatterjee said that he had nothing to do with the shortage but that he was advised not to make any statement pending the criminal proceedings as it would prejudice his defence vide Exs. C and D. This attitude of the employee cannot be said to be defiant and no adverse inference could be drawn against him just because he refused to give a statement when the criminal proceedings were pending against him. After the criminal case was over he did give an explanation as could be seen from Ex. 29 which is the same as Ex. M. In this explanation Shri Dalim K. Chatterjee says that he proved himself honest and his sincere wish to pay part of the loss was a mark of his true and sincere service to the Bank. This explanation was given on the 11th October 1949 five months after the incident and nearly four months after the order of discharge by the S.D.O. Yet the Bank would not withdraw the order of suspension or allow the clerk to rejoin duty. It is seen from Ex. E that Shri Dalim K. Chatterjee paid a sum of Rs. 900 towards the sum of Rs. 2,500 payable by him and that he gave an undertaking to pay the balance of Rs. 1,600 within a fortnight. He was again called upon to pay the balance of Rs. 1,540 by Ex. I dated 10th October 1949. Subsequent to this there were letters by the Association to the Bank asking that Shri Dalim K. Chatterjee should be reinstated but as this was not done as could be seen from Exs. J and O the matter had to be considered by the Sen-Tribunal and an order for reinstatement was made directing Shri Dalim K. Chatterjee to pay one-third of the amount that was lost. It is true that this amount was not paid by the employee but the Bank was not willing to receive the amount and reinstate him as the head cashier was not agreeable to take one-third of the amount instead of one-half the amount as had been originally agreed to. The Bank approached the Calcutta High Court in the first instance and then the Supreme Court and finally when the Supreme Court held that Sen-Tribunal award was void, the Bank was no longer willing to take the one-third amount and reinstate the employee. Hence the employee could not be blamed for not obeying the order of the Sen-Tribunal. On the other hand it is seen from the facts placed before me that the Bank waited for an opportunity and finding that the dispute was not before any Tribunal terminated the employment of Shri Dalim K. Chatterjee and others on 20th October 1951. Subsequently Sastry-Tribunal was appointed on 8th January 1952 but the case of Shri Dalim K. Chatterjee was not decided by that Tribunal and hence the matter has been referred to me after the Staff Association approached the Government and pressed for a reference during a period of more than 1½ years.

The Bank has placed before me the whole correspondence between the Agent, Howrah Branch and the Secretary and Treasurer, Imperial Bank of India as well as that which passed between the Agent and the head cashier. It is fairly clear from the correspondence that though originally nothing serious was alleged against Shri Dalim K. Chatterjee it was reported in later letters that the head Cashier lost confidence in the employee and that it would not be advisable to reinstate him in view of the attitude of the other employees in the Bank. In the earliest letter Ex. 10 by the Agent to the Secretary and Treasurer, dated 16th May 1949, the whole case relating to the loss of Rs. 5,000 is set out. The Agent states that

"it is of course not difficult for an outsider to open it (gate) and enter inside particularly when the head cashier is away from his seat" but in later letters it is stated that an outsider could not have stolen the notes. In fact at about the time the loss is said to have taken place the head cashier was not in his seat as he was busy for about an hour in the room of the Agent dealing with a gold loan advance. In Ex. 18 dated 6th July 1949 the Agent states that he made enquiries as to the antecedents and character of both Shri Dalim K. Chatterjee and Shri Gopi Nath Roy and he had nothing in particular to report against either of them. He however adds that the conduct of Shri Dalim K. Chatterjee has been the most suspicious and also he was grossly negligent. He thinks that refusal to submit an explanation was an act of indiscipline. As stated already Shri Dalim K. Chatterjee was only trying to protect himself and he cannot be blamed. As regards Shri Gopi Nath Roy also the Agent says that he cannot be considered to be entirely free from suspicion. So far as the Cash cooly was concerned the agent considered that he should be reinstated in service though he was given a warning and placed on quarterly reports. In Ex. 21 dated 4th August 1949 the Agent states that the head cashier was not prepared to continue to accept responsibility for the two cashiers concerned although he had not been able to express in a very cogent manner his reasons for the inability to do so. It is only later on in Exs. 23, 26 and 33 it is suggested that there were reasons to doubt the honesty and integrity of Shri Dalim K. Chatterjee. By this time the head cashier had been asked as to whether he would accept one-third of the amount instead of one-half the amount that was originally agreed to be paid by Shri Dalim K. Chatterjee presumably in view of the suggestion at the time of the enquiry by the Sen-Tribunal. By this time Shri Gopi Nath Roy had agreed to pay the balance due by instalments. It is therefore clear to me that the head cashier adopted a hostile attitude towards Shri Dalim K. Chatterjee in view of the failure of the latter to pay the amount as originally agreed. Hence I feel that the loss of confidence expressed by the head cashier is not bonafide but was put forward as an after-thought in view of the subsequent developments.

Having fully considered the circumstances under which the sum of Rs. 5,000 was found missing on 14th May 1949, I am satisfied that Shri Gopi Nath Roy was as much responsible as Shri Dalim K. Chatterjee for the loss. In fact both the head cashier and the Agent thought so in the first instance as the head cashier states that Shri Gopi Nath Roy was the cleverer of the two and the Agent says that Shri Gopi Nath Roy denied all knowledge of the affair in order to throw the entire blame on Shri Dalim K. Chatterjee. The system that was prevailing at the time of the loss was to have two tellers attending to the work of receiving who were to be jointly responsible. There was only one box common between the two and the cash received by either of them was to be placed in the box which was nearest to Shri Gopi Nath Roy. After the currency notes were received by Shri Dalim K. Chatterjee they were given to Ganga Routh, Cash cooly, for being counted and bundled up. He did so and both he and Shri Dalim K. Chatterjee state that the bundle was placed near Shri Gopi Nath Roy and his attention was drawn to it. Shri Gopi Nath Roy no doubt denies that he knew any thing about it but there is no reason why both Shri Dalim K. Chatterjee and Shri Ganga Routh should have stated that Shri Gopi Nath Roy's attention was drawn to the placing of the bundle unless it be that both of them are confederates in the crime and joined hands in order to help each other. But this is not the case of the Bank. It is not therefore correct to state that Shri Dalim K. Chatterjee was more responsible for the loss than Shri Gopinath Roy. In fact originally both of them were asked to pay the amount in equal moieties and it is but right they should be made responsible for the loss. Having found that Shri Gopi Nath Roy paid his portion of the amount it is not now fair to throw the whole blame on Shri Dalim K. Chatterjee especially as there is absolutely no evidence to show that Shri Dalim K. Chatterjee has done away with the amount. I have therefore come to the conclusion that even though this is not a case on all fours with the one that is dealt with in Nanny Chowkidar's case yet the principle is applicable and as the ground for termination of service is purely the refusal of the head cashier to stand guarantee for the acts and intromissions of Shri Dalim K. Chatterjee, the order of the Bank cannot be supported or justified. I am therefore of the opinion that Shri Dalim K. Chatterjee is entitled to be reinstated in service. I am aware of the decision in Benares Light and Power Co. Ltd., Benares Vs. Bijli ghar Mazdoor Sangh, Benares case (1952 LAC p. 243) in which it is laid down that "where it is clear that reinstatement would not tend to promote harmonious relations between the parties but would have an opposite effect the parties having lost confidence in each other, the proper order is not reinstatement but adequate compensation." I have been at pains to point out that the loss of confidence expressed by the head cashier came into being only after Shri Dalim K. Chatterjee delayed to pay his moiety of the amount. I therefore find that Shri Dalim K. Chatterjee is entitled to be

reinstated but in view of the circumstances only after he pays the balance of the amount due by him towards the moiety of the amount of Rs. 5,000 lost on 14th May 1949, after deducting the amounts due to him by the Bank by way of bonus and compensation which I fix at six months salary for the period between the date of termination of service and this date. This order is made in view of the fact that Shri Dalim K. Chatterjee is employed elsewhere from 1950 onwards though on a lesser salary and has also received the salary during the period he was in suspension. Shri Dalim K. Chatterjee will pay the amount if any due by him before he is reinstated but he will be entitled to all benefits on account of continuity of service which he is entitled to and is hereby granted. The reinstatement will be made within a month after this award becomes operative. An award is therefore passed in the above terms.

CAMP: BOMBAY;

C. B. NAIDU, *Chairman*,

22nd February, 1954.

Central Govt. Industrial Tribunal, Calcutta.

[No. LR-100(89).]

**S.R.O. 876.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the All India General Insurance Company Limited, Bombay, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7 and clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri M. R. Meher, I.C.S. (Retired), shall be the sole member and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

(i) Whether the undermentioned twelve workmen were wrongfully discharged from service and, if so, whether they are entitled to reinstatement and/or compensation:—

- (1) Shri P. H. Oza, Assistant, Life Department.
- (2) Shri N. P. Chudamani, Assistant, Life Department.
- (3) Shri D. J. Agsekar, Assistant, Secretarial Department.
- (4) Shri S. B. Sidhwa, Stenographer.
- (5) Shri V. R. Potdar, Typist, Fire Section.
- (6) Shri K. R. Vishwanathan, Assistant, Fire Department.
- (7) Shri H. P. Subramanian, Assistant, Fire Department.
- (8) Shri I. Y. Reley, Filing Clerk, Fire Department.
- (9) Shri U. Shankar Rao, Assistant, Accounts Department.
- (10) Shri S. C. Shah, Assistant, Accounts Department.
- (11) Shri S. J. Dikshit, Assistant, Accounts Department.
- (12) Shri Sarmalkar, Scpy, Accounts Department.

(ii) If the termination of employment was not unjustified, whether the workmen concerned should be allowed any retrenchment gratuity or other compensation.

[No. LR.90(158).]

P. S. EASWARAN, Under Secy.

New Delhi, the 4th March 1954

**S.R.O. 877.**—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President hereby entrusts to the Government of Mysore, with their consent, the functions of the Central Government under the Minimum Wages Act, 1948 (XI of 1948), insofar as such functions relate to the fixation of minimum rates of Wages in respect of employees employed in stone breaking or stone crushing operations carried on in any mine situated within their State.

[No. LWI.24(128)/53]

*New Delhi, the 6th March 1954*

**S.R.O. 878.**—In exercise of the powers conferred by section 4 of the Mica Mines Labour Welfare Fund Act, 1946 (XXII of 1946), read with sub-rule (2) of rule 3 of the Mica Mines Labour Welfare Fund Rules, 1948, the Central Government hereby directs that the following amendment shall be deemed to have been made with effect from the 12th February 1954 in the notification of the Government of India in the Ministry of Labour No. S.R.O. 652, dated the 27th April, 1951:—

In the said notification, for entry (1) the following entry shall be substituted, namely:—

“(1) Shri K. C. Madappa, I.A.S., Collector of Nellore, Chairman.”

[No. M-23(8)54.]

A. P. VEERA RAGHAVAN, Under Secy.

*New Delhi, the 4th March 1954*

**S.R.O. 879.**—Whereas the Central Government is satisfied that the employees in each of the factories specified in the Schedule hereto annexed are in receipt of benefits substantially similar or superior to the benefits provided under the Employees' State Insurance Act, 1948 (XXXIV of 1948).

Now, therefore, in exercise of the powers conferred by section 90 of the said Act, the Central Government hereby exempts each of the factories from all the provisions of the said Act:

#### SCHEDULE

*Industrial Training Institutes/Centres under the Directorate General of Resettlement and Employment, Government of India, Ministry of Labour.*

1. The Industrial Training Centres of the Ministry of Labour attached to (a) the Dayanand Polytechnic, Amritsar and (b) the Dayanand Industrial School, Amabala City in Punjab.
2. The Industrial Training Centre of the Ministry of Labour attached to the Delhi Polytechnic, Delhi.
3. The Industrial Training Institute, Karolbagh, Delhi.
4. The Industrial Training Institute for Women, Curzon Road, New Delhi.

[No. SS.138(46)A.]

K. N. NAMBIAR, Under Secy.

*New Delhi, the 6th March 1954*

**S.R.O. 880.**—In pursuance of sub-section (3) of section 1 of the Plantations Labour Act, 1951 (LXIX of 1951), the Central Government hereby appoints the 1st April 1954, as the date on which the said Act shall come into force.

[No. PL-104(336).]

N. C. KUPPUSWAMI, Dy. Secy.

*New Delhi, the 6th March 1954*

**S.R.O. 881.**—In pursuance of paragraph 3 of the Employees' Provident Funds Scheme, 1952, published with the Notification of the Government of India in the Ministry of Labour, No. S.R.O. 1509, dated the 2nd September 1952, the Central Government hereby directs that the following further amendment shall be made in the Notification of the Government of India in the Ministry of Labour No. S.R.O. 1861, dated the 31st October, 1952, namely:—

In the second Notification mentioned above, for item 8, the following item shall be substituted, namely:—

“8. Shri K. N. Singh, I.A.S., Secretary to the Government of Uttar Pradesh, Labour Department, Lucknow.”

[No. PF.33(1)/54.]

TEJA SINGH SAHNI, Under Secy.



*New Delhi, the 13th March 1954*

**S.R.O. 882.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (XIX of 1952), became applicable to the Cigarette factory situated at Azamabad, Hyderabad, owned and managed by the Vazir Sultan Tobacco Company Ltd., Hyderabad, there was in existence a Provident Fund Common to the employees employed in the said factory to which the said Act applies and employees in the establishment of their Sales Department situated at Secunderabad.

Now, therefore, in exercise of the powers conferred by section 3 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby directs that the provisions of the said Act shall also apply to the establishment of the said Sales Department at Secunderabad with effect from the 1st March, 1954.

[No. PF.504(3/A)4.]

S. NEELAKANTAM, Dy. Secy.

